Sri V. P. DEENADAYALU NAIDU.—I would bring to the notice of the Chief Minister that with regard to Stores Purchase Committee there are several questions and not one of them has been answered on the floor; the file is becoming bulkier and the Government is not bothered; we have not got the answers and the members who raised the questions disappear. But I will tell you the precious rights of members remain and it will remain for all time. It is for all of us to safeguard that right and I hope the Chair will give proper answer to that question. The Hon'ble Minister Sri Rachiah said that we are adopting a procedure by which it is impossible for any Government to furnish answers. With all humility I say that if they are not prepared to answer or if they are not capable of giving answers, it only reflects on the Government.

Sri N. RACHIAH.—I did not say so.

Mr. SPEAKER.—I have already given the reply to what you have just now said. Of course, there has been delay. Under the new procedure there will be no delay. Let us not indulge in pointing who is the guilty party. It is no use. After all, we have to take things as they are and the best course for us is to revise the rules of Procedure. We are doing that on the 7th and then this difficulty will disappear.

Sri V. P. DEENADAYALU NAIDU.—My only point is that the Government must explain for the delay. That is what I am anxious about. I am not worried why delay is caused, but the Government must explain for the delay.

Mr. SPEAKER.—After all, how can the Government explain the delay? They can only say that there has been delay.

Sri G. VENKATAI GOWDA (Palaiyam).—What are the reasons for this delay?

Mr. SPEAKER.—In that case, they will have to explain for the delay not only with reference to one question, but all the questions. How can it be possible? It is not fair for the members to pursue the point like this.

Sri J. B. MALLARADHYA.—Are we not going to consider this matter in the Rules Committee stage?

Mr. SPEAKER.—Yes.

Sri M. RAMAPPA (Harihar).—I want to say something.

Mr. SPEAKER.—You may tell me in my chambers.

Sri M. RAMAPPA.—I want to make a personal explanation.

Mr. SPEAKER.—You are also an old member. You must know the procedure that before raising any point here, it is better that you see me in my chamber and I will try to correct it.

MYSORE CO-OPERATIVE SOCIETIES BILL, 1958.

Motion to consider.

Sri MALI MARIAPPA (Minister for Co-operation).—Sir, I move:

"That the Mysore Co-operative Societies Bill, 1958, be taken into consideration."

Mr. SPEAKER.—Motion moved:

"That the Mysore Co-operative Societies Bill, 1958, be taken into consideration."

ಶ್ರೀ ಮಾಲ ಮರಿಯಪ್ಪ.— ಸ್ವಾಮಿ, ಈ ಮಸೂದಾ ಕಾನೂನನ್ನು ಈ ಸಭೆಯು ಪರಿಶೀಲನೆಗೆ ತೆಗೆದು ಕೊಳ್ಳಬೇಕೆಂದು ಹೇಳುವ ಸಂದರ್ಭದಲ್ಲಿ ನಾಲ್ಕು ಮಾತುಗಳನ್ನಾಡಬೇಕಾದ ಅಗತ್ಯವಿದೆ. ರಾಜ್ಯ ಪುನರ್ವಿಂಗಡಣೆಯಾದ ಮೇಲೆ ಇಲ್ಲಿಯವರೆಗೂ ಸಹ ಐದು ಬೇರೆ ಬೇರೆ ಭಾಗಗಳಲ್ಲಿ ಸಹಕಾರ ಸಂಘಗಳಿಗೆ ಅನ್ವಯಿಸುವಂತೆ ಐದು ಬೇರೆ ಬೇರೆ ಕಾನೂನುಗಳಿರತಕ್ಕದ್ದು ನಮ್ಮಗಳೆಲ್ಲರಿಗೂ ತಿಳಿದಂಥ ವಿಚಾರ. ಕೆಲವು ಕಾನೂನುಗಳ ವಿಚಾರದಲ್ಲಿ ಸಮನ್ವಯಗೊಳಿಸುವ ಕಾರ್ಯವನ್ನು ಸಾಧಿಸಿದ್ದಾಗಿದೆ. ಆದರೆ ಸಹಕಾರ ಸಂಪುಗಳ ವಿಚಾರವಲ್ಲಿಯೂ ಸಹ ಸಮನ್ವಯವನ್ನು ಸಾಧಿಸುವುದಕ್ಕೋಸ್ಕರ ಈ ಮಸೂದೆಯನ್ನು ಸಭೆಯ ಮುಂದೆ ತರಬೇಕಾದುದಾಗಿದೆ. ಸಾಮಾನ್ಯವಾಗಿ ಐದು ಬೇರೆ ಬೇರೆ ಭಾಗಗಳಲ್ಲಿ ಜಾರಿಯಲ್ಲಿದ್ದಂಥ ಕಾನೂನುಗಳಲ್ಲಿ ತೀವ್ರತರವಾದ ಬದಲಾವಣೆಗಳಾಗಿವೆ ಎಂದು ಹೇಳುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ಆಯಾ ಸ್ಥಳ ಮತ್ತು ಸನ್ನಿವೇಶಗಳಿಗನುಗುಣವಾಗಿ ಅಲ್ಲಿ ಜಾರಿಯಲ್ಲಿದ್ದಂಥ ಬಹು ಭಾಗ ಅಂಶಗಳನ್ನು ಈ ಕಾನೂನಿನಲ್ಲಿಯೂ ಸಹ ಅಡಕಮಾಡಲಾಗಿದೆ. ಆದರೆ ಎರಡನೆಯ ಪಂಚವಾರ್ಷಿಕ ಯೋಜನೆಯಲ್ಲಿ ಅಡಕವಾಗಿರುವ ಸಹಕಾರಿ ಆಂದೋಳನದ ಕೆಲವು ಸ್ಕೀಮುಗಳಿಗೆ ರಿಜಿಸ್ಟ್ರಾರ್‌ಅವರು ಸಾಕಷ್ಟು ಸಾಲದ ರೂಪದಲ್ಲಿ ಮತ್ತು ಇತರ ರೂಪದಲ್ಲಿ ಸಹಾಯ ಧನವನ್ನು ಕೊಡುತ್ತಿದ್ದಾರೆ. ಈ ದೃಷ್ಟಿಯಲ್ಲಿ ಸ್ವಲ್ಪ ಹೆಚ್ಚಿನ ಬದಲಾವಣೆಗಳು ಈ ಕಾನೂನಿನಲ್ಲಿ ಕಾಣ

ಬರುತ್ತವೆ. ಸರ್ಕಾರದವರು ಪರಸ್ಪರ ಸಹಕಾರ ಸಂಘಗಳಿಗೆ ಎಲ್ಲ ರೀತಿಯಾದ ಉತ್ತೇಜನವನ್ನೂ ಕೊಡಬೇಕೆಂಬ ಅಂಶ 41ನೆಯ ಕಲಮಿನಲ್ಲಿ ಅಡಕವಾಗಿದೆ. ಹಾಗೆಯೇ ಸರ್ಕಾರದವರು ನೇರವಾಗಿ ಷೇರನ್ನು ಯಾವುದಾದರೂ ಒಂದು ಸಹಕಾರ ಸಂಘದಲ್ಲಿ ತೆಗೆದುಕೊಳ್ಳಬಹುದು ಎನ್ನತಕ್ಕ ವಿಚಾರ 42ನೆಯ ಕಲಮಿನಲ್ಲಿ ಸೂಚಿಸಲ್ಪಟ್ಟಿದೆ. ಕೆಲವು ಸಹಕಾರ ಸಂಘಗಳಲ್ಲಿ ಅಪ್ರತ್ಯಕ್ಷವಾಗಿ ಪಾಲುಗಾರಿಕೆಯನ್ನು ವಹಿಸಬಹುದು ಎನ್ನುವುದನ್ನು 43ನೆಯ ಕಲಮಿನಲ್ಲಿ ಸೂಚಿಸಿದೆ. ಸರ್ಕಾರದವರು ಷೇರು ಬಂಡವಾಳದಲ್ಲಿ ಮತ್ತು ಇತರ ರೀತಿಯಾದ ಸಾಲ ಇತ್ಯಾದಿಗಳನ್ನು ಕೊಡುವುದಕ್ಕೋಸ್ಕರ ಬೇರೆ ಎರಡು ಬಗೆಯ ನಿಧಿಗಳನ್ನು ನಿರ್ಮಾಣ ಮಾಡಿರತಕ್ಕದ್ದು 44 ಮತ್ತು 45ನೆಯ ಕಲಮುಗಳಲ್ಲಿ ನಮೂದಾಗಿದೆ. ಸರ್ಕಾರದವರು ಅಥವಾ ಅಪೆಕ್ಸ್ ಸೊಸೈಟಿಯವರು ಆ ನಿಧಿಯಿಂದ ಷೇರು ಅಥವ ಸಾಲ ಇತ್ಯಾದಿಯನ್ನು ಬೇರೆ ಪ್ರೈಮರಿ ಸೊಸೈಟಿಗಳಿಗೆ ಕೊಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಮಾಡಲಾಗಿದೆ. ಹಾಗೆಯೇ ಯಾವ ಯಾವ ಅಪೆಕ್ಸ್ ಸೊಸೈಟಿಯವರು ಈ ನಿಧಿಯ ಉಪಯೋಗವನ್ನು ಕೇಳುತ್ತಾರೆಯೋ ಅವರು ಸರ್ಕಾರದ ಸಂಬಂಧವನ್ನು ಹೊಂದತಕ್ಕ ಒಂದು ಪ್ರಸಂಗವನ್ನು 53ನೆಯ ಕಲಮಿನಲ್ಲಿ ನಮೂದಿಸಿದೆ. ಸರ್ಕಾರದಿಂದ ಬೇರೆ ಬೇರೆ ರೂಪವಾದ ಸಹಾಯಗಳನ್ನು ಕೊಡತಕ್ಕ ವಿಚಾರ 54ನೆಯ ಕಲಮಿನಲ್ಲಿ ನಮೂದಿಸಿದೆ. ಬೇರೆ ರೀತಿಯ ಸಹಾಯಗಳಾವವು ಎನ್ನುವುದು ಈಗ ಚಾಲ್ತಿಯಲ್ಲಿರುವುದರಿಂದ ಗೊತ್ತಾಗುತ್ತದೆ. ಅನೇಕ ಸೊಸೈಟಿಗಳಿಗೆ ಸಬ್‌ವೆನ್ಷನ್ ಗ್ರ್ಯಾಂಟ್ ಕೊಡುತ್ತಾರೆ, ಜೊತೆಗೆ ಕೆಲವು ಸೊಸೈಟಿಗಳಿಗೆ ಸರ್ಕಾರದವರು ಗ್ಯಾರಂಟಿಯಾಗಿ ನಿಂತು ಬೇರೆ ಬೇರೆ ಬ್ಯಾಂಕುಗಳಿಂದ ಸಾಲವನ್ನು ಒದಗಿಸತಕ್ಕ ವ್ಯವಸ್ಥೆ ಇದೆ. ಈ ರೀತಿಯಾಗಿ ಸರ್ಕಾರದವರು ಸಹಕಾರ ಆಂದೋಳನದಲ್ಲಿ ಸಾಕಷ್ಟು ಭಾಗವನ್ನು ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೋಸ್ಕರ ಕೆಲವು ಕಲಮುಗಳನ್ನು ಇದರಲ್ಲಿ ಸೇರಿಸಿದ್ದಾಗಿದೆ. ಸರ್ಕಾರದವರು ಈ ಸಹಕಾರ ಸಂಘಗಳಿಗೆ ಸಾಕಷ್ಟು ಷೇರು ಬಂಡವಾಳ ಸಾಲ ಮತ್ತು ಇತರ ವಿಧವಾದ ಸಹಾಯ ಧನವನ್ನು ಕೊಟ್ಟಂಥ ಕಾಲದಲ್ಲಿ ಸರ್ಕಾರದ ಪ್ರಾತಿನಿಧ್ಯ ಸಾಮಾನ್ಯವಾಗಿ ಇರಬೇಕು ಎನ್ನುವ ತತ್ವವನ್ನು ಒಂದಲ್ಲ ಒಂದು ರೂಪದಲ್ಲಿ ನಾವು ಒಪ್ಪಿಕೊಳ್ಳಲೇಬೇಕಾಗುತ್ತದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ 30ನೆಯ ಕಲಮಿನಲ್ಲಿ ಅಂಥ ಸಹಾಯವನ್ನು ಪಡೆದಂಥ ಸಹಕಾರಸಂಘಗಳಲ್ಲಿ ಸರ್ಕಾರ ಪ್ರಾತಿನಿಧ್ಯವನ್ನು ವಹಿಸುವುದಕ್ಕೋಸ್ಕರ ಮೂರು ಜನ ಅಥವ ಬೋರ್ಡ್ ಆಫ್ ಮ್ಯಾನೇಜ್‌ಮೆಂಟಿನ ಒಟ್ಟು ಸಂಖ್ಯೆಯಲ್ಲಿ ಮೂರನೆಯ ಒಂದು ಭಾಗ, ಇವೆರಡರಲ್ಲಿ ಯಾವುದು ಕಡಮೆಯೋ ಅದನ್ನು ಲೆಕ್ಕದಲ್ಲಿಟ್ಟುಕೊಂಡು ಬೋರ್ಡ್ ಆಫ್ ಮ್ಯಾನೇಜ್‌ಮೆಂಟಿನಲ್ಲಿ ಪ್ರಾತಿನಿಧ್ಯವನ್ನು ಹೊಂದುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸಲಾಗಿದೆ. ಹಾಗೆಯೇ ಹೆಚ್ಚಿನ ಸಾಲ, ಗ್ಯಾರಂಟಿ, ಸಬ್ಸಿಡಿ ಇತ್ಯಾದಿಗಳನ್ನು ಕೊಡತಕ್ಕ ಸಂದರ್ಭದಲ್ಲಿ ಇನ್ನೂ ಎರಡು ಮೂರು ಸರ್ಕಾರದ ಹತೋಟಿ, ವಿಚಾರಣೆ ಇತ್ಯಾದಿಗಳು ಸಹ ಅಡಕವಾಗಿರಬೇಕೆನ್ನುವ ದೃಷ್ಟಿಯಿಂದ ಕೆಲವು ಕಲಮುಗಳನ್ನು ಇದರಲ್ಲಿ ಸೇರಿಸಲಾಗಿದೆ. ಕೆಲವಾರು ಸಂದರ್ಭಗಳಲ್ಲಿ ಸೊಸೈಟಿಗಳು ತಾವಾಗಿ ತಾವೇ ಸಂದರ್ಭಕ್ಕನುಗುಣವಾದ ಮತ್ತು ಅಗತ್ಯವಾದ ಬೈಲಾಗಳನ್ನು ತಿದ್ದುಪಡಿ ಮಾಡತಕ್ಕ ಕೆಲಸಕ್ಕೆ ಕೈ ಹಚ್ಚದೆ ಹೋದರೆ ಅಂಥ ಸಂದರ್ಭದಲ್ಲಿ ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ಒಂದು ಕಾಲಾವಕಾಶವನ್ನು ಆ ಸೊಸೈಟಿಗಳಿಗೆ ಕೊಟ್ಟು ಆ ಬೈಲಾವನ್ನು ತಿದ್ದುಪಡಿಮಾಡಬೇಕು ಎಂದು ಕೇಳತಕ್ಕದ್ದು ಅಥವಾ ಸೂಚಿಸತಕ್ಕದ್ದು ; ಹಾಗೆ ಕೊಟ್ಟ ಸೂಚನೆಗೆ ಆ ಸೊಸೈಟಿಯವರು ಒಪ್ಪದೆ, ಅಂಥ ತಿದ್ದುಪಡಿಯನ್ನು ಮಾಡದೆ ಹೋದಂಥ ಸಂದರ್ಭದಲ್ಲಿ ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ಆ ಸಂಘದ ಹಿತದೃಷ್ಟಿಯಿಂದ ಬೈಲಾವನ್ನು ರಿಜಿಸ್ಟರ್‌ಮಾಡಿಕೊಂಡು ಸೊಸೈಟಿಗೆ ತಿಳಿಸತಕ್ಕದ್ದು—ಎನ್ನುವ ವಿಚಾರ 13ನೆಯ ಕಲಮಿನಲ್ಲಿದೆ. ವಿಶೇಷ ಕಾರಣಗಳಿಗಾಗಿ ಆಡಳಿತದಲ್ಲಿ ಹೆಚ್ಚು ಲೋಪಗಳು ಕಂಡು ಬಂದಂಥ ಸಂದರ್ಭದಲ್ಲಿ ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ಅಂಥ ಸಂಘಗಳನ್ನು ಸೂಪರ್‌ಸೀಡ್ ಮಾಡಬಹುದೆಂಬ ಅಂಶವನ್ನು 32ನೆಯ ಕಲಮಿನಲ್ಲಿ ಸೂಚಿಸಿದೆ. ಇದು ಹಿಂದಿನ ಕಾನೂನುಗಳಲ್ಲಿ ಸಹ ಇತ್ತು. ಎರಡು ಲಕ್ಷ ಅಥವ ಎರಡು ಲಕ್ಷಕ್ಕಿಂತಲೂ ಹೆಚ್ಚು ಸಹಾಯ ಸಾಲ ಇತ್ಯಾದಿಗಳನ್ನು ಯಾವುದಾದರೂ ಒಂದು ಸಹಕಾರ ಸಂಘಕ್ಕೆ ಸರ್ಕಾರದವರು ಕೊಟ್ಟಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಅಂಥ ಸಂಘಗಳ ವಿಚಾರದಲ್ಲಿ ಎಷ್ಟರ ಮಟ್ಟಿಗೆ ಕೊಟ್ಟಿರತಕ್ಕ ಷೇರು ಅಥವಾ ಸಾಲದಬಂಡವಾಳದ ಭದ್ರತೆಗೋಸ್ಕರ ಆ ಸೊಸೈಟಿಯ ಮೇಲೆ ಒಂದು ಹತೋಟಿ ಅಗತ್ಯವೋ ಅಷ್ಟರಮಟ್ಟಿಗೆ ಮಾತ್ರ ಹತೋಟಿಯನ್ನು ಏರ್ಪಡಿಸಲು ಗೆಜೆಟ್ಟಿನಲ್ಲಿ ಮುಂಚೆಯೇ ಆ ವಿಚಾರವನ್ನು ಪ್ರಕಟಿಸಿ ಅನಂತರ ಆ ರೀತಿಯಾದ ಸಂಬಂಧ ಸರ್ಕಾರ ಮತ್ತು ಸಹಕಾರ ಸಂಘಕ್ಕೆ ಇರತಕ್ಕ ವಿಚಾರವನ್ನು 55ನೆಯ ಕಲಮಿನಲ್ಲಿ ನಮೂದಿಸಿದೆ.

ಮತ್ತೊಂದು ವಿಚಾರವೆಂದರೆ, ಇತ್ತೀಚೆಗೆ ರಾಜ್ಯಗಳ ಪುನರ್ವಿಂಗಡಣೆ ಆದನಂತರ ಹೊಸ ನಮೂನೆಯ ಕಾನೂನುಗಳು ಜಾರಿಯಲ್ಲಿದ್ದ ಐದು ಹೊಸ ಪ್ರದೇಶಗಳು ಈಗ ಒಂದು ಆಡಳಿತಕ್ಕೊಳಪಟ್ಟಿರುತ್ತವೆ. ಪರಸ್ಪರ ಸಹಾಯ ಸಂಘಗಳ ಆಡಿಟ್, ತನಿಖೆ, ಅಪೀಲ್, ಆರ್ಬಿಟ್ರೇಷನ್ ಇತ್ಯಾದಿ ವಿಚಾರಗಳು ಒಂದೊಂದು ಭಾಗದಲ್ಲಿ ಒಂದೊಂದು ರೀತಿಯಲ್ಲಿದ್ದವು. ಇಂಥವನ್ನೆಲ್ಲ ಸಮನ್ವಯಗೊಳಿಸಲು ಈಗ ಸಮಯದೊರೆತಿದೆ. ಹೀಗೆ ನಾನಾ ಕಾರಣಗಳಿಂದ ಇಂಥ ಒಂದು ಮಸೂದೆಯ ಅಗತ್ಯ ಬಹಳವಾಗಿತ್ತು. ಆದುದರಿಂದ ಇಂಥ ಒಂದು ಹೊಸ ಕಾನೂನು ದೇಶದ ಹಿತದೃಷ್ಟಿಯಿಂದ ಆದಷ್ಟು ಜಾಗ್ರತೆಯಾಗಿ ಆಗಬೇಕಾದದ್ದು ಅಗತ್ಯ. ಮತ್ತೊಂದು ವಿಚಾರ ಎಂದರೆ ಅದು ತಮ್ಮೆಲ್ಲರಿಗೂ ತಿಳಿದಿರತಕ್ಕದ್ದೇ ಆಗಿದೆ. ಆ ವಿಚಾರ ಯಾವುದೆಂದರೆ, ನಮ್ಮ ದೇಶದಲ್ಲಿ ವ್ಯವಸಾಯವನ್ನೇ ಮುಖ್ಯ ಜೀವನೋಪಾಯವಾಗಿ ನಂಬಿಕೊಂಡಿರುವಂಥ ಜನಗಳು ಬಹಳವಾಗಿದ್ದಾರೆ. ಈಗಾಗಲೇ ಆ ಜನರು ಅಲ್ಪಕಾಲಾವಧಿಯ, ಮಧ್ಯಕಾಲಾವಧಿಯ ಹಾಗೂ ದೀರ್ಘಕಾಲಾವಧಿಯ ದ್ರವ್ಯ ಸಹಾಯವನ್ನು ವಿಶೇಷವಾಗಿ ಅಪೇಕ್ಷೆ ಮಾಡುತ್ತಿದ್ದಾರೆಂಬ ಅಂಶ ತಮಗೆಲ್ಲರಿಗೂ ತಿಳಿದಿರತಕ್ಕದ್ದೇ ಆಗಿದೆ. ಈಗಾಗಲೇ ಈ ವಿಚಾರವಾಗಿ ಅನೇಕ ಸಂಘಗಳು ಬಹಳವಾಗಿ ಕೆಲಸಮಾಡುತ್ತಿವೆ. ಇವುಗಳ ಜೊತೆಗೆ ಇನ್ನೂ ಇಂಥ ಹೊಸ ಹೊಸ ಸಂಘಗಳನ್ನು ಆದಷ್ಟು ಜಾಗ್ರತೆ ಸ್ಥಾಪಿಸಿ, ಅವುಗಳನ್ನು ಜಾರಿಗೆ ತರಬೇಕಾದುದು ಸೂಕ್ತವಾದುದೇ ಆಗಿದೆ. ಆದರೆ ಈಗ ಈ ಮಸೂದೆಯ ಮೇಲೆ ನಡೆಯಬೇಕಾಗಿರುವ ಸಾಮಾನ್ಯ ಚರ್ಚೆಯ ವೇಳೆಯಲ್ಲಿ ಈ ಮಸೂದೆ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯ ಮುಂದೆ ಹೋಗಲೇಬೇಕೆಂದು ಆಗೊಂದು ವೇಳೆ ಕಂಡು ಬಂದರೆ ಆಗ ಮೇಲ್ಮನೆಯ ಸದಸ್ಯರನ್ನೂ ಸಹ ಒಳಗೊಂಡ ಒಂದು ಜಂಟಿ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯನ್ನು ನೇಮಿಸಿ ಅದಕ್ಕೆ ಈ ಮಸೂದೆಯನ್ನು ಪರಿಶೀಲಿಸುವಂತೆ ತೀರ್ಮಾನಮಾಡಬಹುದು. ಆ

(ಶ್ರೀ ಮಾಲಿ ಮರಿಯಪ್ಪ)

ಸಮಿತಿಯವರೂ ಕೂಡ ಈ ಬಿಲ್ಲಿನ ಬಗ್ಗೆ ಆದಷ್ಟು ಬೇಗ ಪರಿಶೀಲನೆಮಾಡಿ ಈ ಅಧಿವೇಶನ ಮುಗಿಯುವುದರೊಳಗೆಯೇ ವರದಿಯನ್ನು ಈ ಸಭೆಯ ಮುಂದೆ ಇಡಲು ಅವಕಾಶ ದೊರೆತರೆ ಅದರಿಂದ ಬಹಳ ಅನುಕೂಲವಿದೆ. ಆದರೆ ಶ್ರೀ ಪುಟ್ಟಣ್ಣನವರು ಈ ಮಸೂದೆ ಒಂದುವೇಳೆ ಜಾಗ್ರತೆ ಪಾಸಾದರೂ ಸಹ ಇದರ ರೂಲ್ಸ್ ವಗೈರೆಗಳನ್ನು ಜಾಗ್ರತೆ ಮಾಡುವುದಿಲ್ಲ ಎಂದು ತಿಳಿಸಿದರು. ಈ ವಿಚಾರದಲ್ಲಿ ಈ ಸಭೆಯ ಮುಂದೆ ನಾನು ಒಂದು ಮಾತನ್ನು ಹೇಳಬೇಕಾಗಿದೆ. ಈ ಮಸೂದೆಗೆ ಸಂಬಂಧಪಟ್ಟಹಾಗೆ ರಚಿಸಲ್ಪಡಬೇಕಾದ ರೂಲ್ಸುಗಳೇನಿವೆ ಅವುಗಳೆಲ್ಲಿ ಈಗಾಗಲೇ ರೂಪಿತವಾಗಿರುತ್ತವೆ. ಆದುದರಿಂದ ಅಂಥ ಕಾಲಹರಣವಾಗುವುದಕ್ಕೆ ಅವಕಾಶವಿಲ್ಲವೆಂದು ಹೇಳುತ್ತೇನೆ. ಇನ್ನು ಮಾನ್ಯ ಸದಸ್ಯರುಗಳು ಈ ಮಸೂದೆಯ ಮೇಲೆ ಚರ್ಚೆ ನಡೆಸಿ ಇದರ ಬಗ್ಗೆ ತಮ್ಮ ರಚನಾತ್ಮಕ ಸಲಹೆಗಳನ್ನು ಕೊಟ್ಟು ಈ ಮಸೂದೆಯನ್ನು ಆದಷ್ಟು ಜಾಗ್ರತೆ ಜಾಯಿಂಟ್ ಸೆಲೆಕ್ಟ್ ಸಮಿತಿಯ ಮುಂದೆ ಹೋಗುವಂತೆ ಮಾಡಬೇಕೆಂದು ನಾನು ತಮ್ಮೆಲ್ಲರಲ್ಲೂ ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

The House adjourned for recess at Four Minutes past Three of the Clock and re-assembled at Thirty-five Minutes past Three of the Clock.

[MR. DEPUTY SPEAKER in the Chair]

*ಶ್ರೀ ಕೆ. ಕೆಂಚಪ್ಪ (ಹಿರಿಯೂರು).—ಮಾನ್ಯ ಅಧ್ಯಕ್ಷರೇ, ಸಹಕಾರ ಸಂಘಗಳ ಅಭಿವೃದ್ಧಿಯ ಬಗ್ಗೆ ಈಗ ತಾನೆ ಈ ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಿರತಕ್ಕ ಕಾನೂನಿನ ವಿಚಾರದಲ್ಲಿ ಇದು ಯಾವ ರೀತಿಯಲ್ಲಿ ದೇಶದ ಒಂದು ಅಭಿವೃದ್ಧಿಗೆ ಮುಖ್ಯ ಸಾಧನವಾಗಿರುತ್ತದೆ ಇಂಥ ಒಂದು ಪ್ರಾಮುಖ್ಯತೆಯುಳ್ಳ ಮಸೂದೆಯನ್ನು ನಾವು ಯಾವ ರೀತಿಯಲ್ಲಿ ರಚನೆ ಮಾಡಬೇಕಾಗಿದೆ ಎನ್ನುವುದನ್ನು ನಾವೀಗ ಪರ್ಯಾಲೋಚನೆ ಮಾಡುತ್ತಿದ್ದೇವೆ. ಇಂಥ ಸಂದರ್ಭದಲ್ಲಿ ನಾವುಗಳೆಲ್ಲರೂ ಕೆಲವಾರು ಮುಖ್ಯಾಂಶಗಳನ್ನು ಗಮನದಲ್ಲಿಟ್ಟುಕೊಳ್ಳಬೇಕಾದದ್ದು ಅತ್ಯಗತ್ಯ. ಅವು ಯಾವುವೆಂದರೆ–ಈಗಿನ ಕಾಲದಲ್ಲಿ ಸಮಾಜದ ಏಳಿಗೆಗೆ ಸಹಕಾರ ಸಂಘಗಳು ಬಹಳ ಮುಖ್ಯವಾದ ಪಾತ್ರವನ್ನು ವಹಿಸಿದಂಥವುಗಳಾಗಿರುತ್ತವೆ. ಆದುದರಿಂದ ಈಗ ಇಂಥ ಒಂದು ಕಾನೂನನ್ನು ತರತಕ್ಕದ್ದೇನೋ ಸೂಕ್ತವಾಗಿದೆ. ಆದರೆ ಈ ಕಾನೂನನ್ನು ಇನ್ನೂ ಮುಂಚಿತವಾಗಿಯೇ ತಂದಿದ್ದರೆ ಬಹಳ ಚೆನ್ನಾಗಿತ್ತು, ಇದರಿಂದ ದೇಶಕ್ಕೆ ಒಳ್ಳೆಯದಾಗುತ್ತಿತ್ತು. ಇಂಥ ಒಂದು ಮಸೂದೆಯನ್ನು ತರುವುದರಲ್ಲಿ ಸರ್ಕಾರ ಸಾಕಷ್ಟು ತಡಮಾಡಿದ್ದರೂ, ಈಗಲಾದರೂ ಇದನ್ನು ಸಭೆಯ ಮುಂದೆ ಅವರು ತಂದುದಕ್ಕಾಗಿ ನಾವು ಸಂತೋಷಪಡಬೇಕಾಗಿದೆ. ಇಂಥ ಸಂದರ್ಭದಲ್ಲಿ ಇಂಥ ಒಂದು ಕಾನೂನನ್ನು ರಚಿಸುವಾಗ ಎಲ್ಲರೂ ಒಂದು ಒಳ್ಳೆಯ ಉದ್ದೇಶವನ್ನಿಟ್ಟುಕೊಂಡು ಈ ಕಾನೂನನ್ನು ರಚಿಸುವುದು ಒಳ್ಳೆಯದು ಮತ್ತು ಉತ್ತಮವಾದುದು. ಈಗ ಮುಖ್ಯವಾಗಿ ಈ ಬಿಲ್ಲು ಯಾವ ಉದ್ದೇಶಗಳ ಮೇಲೆ ರಚಿತವಾಗಬೇಕಾಗಿದೆಯೆಂದರೆ ಸಮಾಜವಾದ ತತ್ವಗಳ ಆಧಾರದಮೇಲೆ ನಮ್ಮ ಸಮಾಜ ನಿರ್ಮಾಣವಾಗಬೇಕಾಗಿರುವುದರಿಂದ, ಅದೇ ತತ್ವಗಳ ಮೇಲೆ ನಾವು ಈ ಸಂಘಗಳನ್ನೂ ನಿರ್ಮಾಣಮಾಡಬೇಕಾಗಿದೆ. ದೇಶದಲ್ಲಿರುವಂಥ ಸಂಪತ್ತೇನಿದೆ ಅದು ಕೆಲವು ಭಾಗಕ್ಕಾಗಲಿ ಅಥವಾ ಕೆಲವೇ ವ್ಯಕ್ತಿಗಳ ಕೈಯಲ್ಲಿರುವಂತೆ ಮಾಡದೆ ಆ ಸಂಪತ್ತು ದೇಶದಲ್ಲೆಲ್ಲಾ ಹರಡುವಂತೆ ಮಾಡಿ ಅದು ಎಲ್ಲರಿಗೂ ಸರಿಸಮವಾಗಿ ಹಂಚುವಂತೆ ಮಾಡತಕ್ಕ ಕಾರ್ಯದಲ್ಲಿ ಈ ಸಂಸ್ಥೆಗಳು ಬಹಳ ಮುಖ್ಯವಾದಂಥ ಪಾತ್ರವನ್ನು ವಹಿಸುತ್ತವೆ. ಈ ದೃಷ್ಟಿಯಿಂದ ನಾವು ಈ ಕಾನೂನನ್ನು ಪರಿಶೀಲನೆ ಮಾಡತಕ್ಕದ್ದು ಮೊದಲನೆಯ ಭಾಗ.

ಎರಡನೆಯ ಭಾಗವೇನೆಂದರೆ, ಈ ಕಾನೂನು ಹೊಸದೇನೂ ಅಲ್ಲ. ಇಂಥ ಕಾನೂನುಗಳು ಹಳೆಯ ಮೈಸೂರಿನಲ್ಲಿದ್ದುವು ಮತ್ತು ಮೈಸೂರಿಗೆ ಸೇರಿರುವ ಭಾಗಗಳಲ್ಲಿಯೂ ಇದ್ದುವು. ಇದರ ಪ್ರತಿ ಕಲಮನ್ನೂ ನೋಡಿದರೆ, ಇದುವರೆಗೆ ಈ ಕಾನೂನು ಜಾರಿಯಲ್ಲಿದ್ದು ಕೆಲಸ ಮಾಡಿಕೊಂಡುಬಂದಿರುವುದನ್ನು ನೋಡಿದರೆ, ನಮ್ಮ ಅನುಭವಕ್ಕೆ ಬಂದಿರುವಂತೆ, ಇದರ ಲೋಪದೋಷಗಳನ್ನು ನಿವಾರಿಸಿ ಉತ್ತಮ ಸ್ಥಿತಿಯಲ್ಲಿ ಇದರ ಆಡಳಿತವನ್ನು ನಡೆಸಿಕೊಂಡು ಬರಬೇಕಾದ ವಿಷಯಕ್ಕೆ ಅಷ್ಟಾಗಿ ಸರ್ಕಾರ ಹೆಚ್ಚು ಗಮನ ಕೊಡಲಿಲ್ಲ. ಉತ್ತಮಗೊಳಿಸುವುದಕ್ಕೆ ಬದಲು ಐದಾರು ಕಾನೂನುಗಳನ್ನು ಸಮನ್ವಯ ಮಾಡಿ ಒಂದು ಕಾನೂನು ಮಾಡಿದರೆ ಸಾಕೆಂಬ ಹವ್ಯಾಸಕ್ಕೆ ಹೋಗಿರುವ ಹಾಗೆ ಕಾಣುತ್ತದೆ. ಯಾವ ಯಾವ ವಿಧಾನದಲ್ಲಿ ಸಹಕಾರ ಪದ್ಧತಿಯ ಮೇಲೆ ಕೆಲಸಕಾರ್ಯಗಳು ನಡೆಯುತ್ತವೆಂಬುದನ್ನು ಆಲೋಚನೆಮಾಡಿ ನೋಡಿದರೆ, ಅನೇಕ ವಿಚಾರಗಳು ಮನಸ್ಸಿಗೆ ಬರುತ್ತವೆ. ಬಹು ಮುಖ್ಯವಾಗಿ, ಜಮೀನು ವ್ಯವಸಾಯವನ್ನು ಕೂಡ ಸಹಕಾರ ಪದ್ಧತಿಯ ಮೇಲೆ ಮಾಡಬೇಕೆಂದಿದೆ. ಜಮೀನಿನಲ್ಲಿ ಆಗುವ ಬೆಳೆ ಕೂಡ ಸಹಕಾರ ವ್ಯವಸ್ಥೆಯ ಮೇಲೆ ಅಭಿವೃದ್ಧಿಯಾಗಬೇಕೆಂಬುದು ಸಹಕಾರದ ತತ್ವದ ಒಂದು ಮುಖ್ಯ ಅಂಶವಾಗಿದೆ. ಸಹಕಾರ ತತ್ವಗಳಲ್ಲಿ ಇದು ಮುಖ್ಯವಾದುದು. ಆದರೆ ಕಾರ್ಯರೂಪದಲ್ಲಿ ಹೇಗಿದೆಯೆಂದು ನೋಡಿದರೆ, ನಮ್ಮ ರಾಜ್ಯದಲ್ಲಿ ಚಿತ್ರದುರ್ಗ ಜಿಲ್ಲೆಯ ಹೊಳಲ್ಕೆರೆ ತಾಲ್ಲೂಕಿನಲ್ಲಿ ಸಹಕಾರ ಪದ್ಧತಿಯ ಮೇಲೆ ಜಮೀನು ವ್ಯವಸಾಯ ಮಾಡುವ ಕೆಲವು ಫಾರಂಗಳಿವೆ. ಅವನ್ನು ನೋಡಿದರೆ ಈ ಸಹಕಾರ ಪದ್ಧತಿಯ ಮೇಲೆ ಇಂಥ ಜಮೀನು ವ್ಯವಸಾಯ ಮಾಡುವ ಒಂದು ಹವ್ಯಾಸಕ್ಕೆ ಅನುಮತಿಯನ್ನು ಕೊಡಬಾರದೋ ಏನೋ ಎನ್ನುವ ರೀತಿಯಲ್ಲಿ ಅಲ್ಲಿನ ಕೆಲಸ ಕಾರ್ಯಗಳು ನಡೆಯುತ್ತಿವೆ. ಇಂಥ ಒಂದು ಬಹಳ ಮುಖ್ಯವಾದ ವಿಷಯ ನಮಗೆ ನಿರುತ್ಸಾಹವನ್ನುಂಟುಮಾಡಿದೆ. ಹೀಗೆಯೇ ಕೈಗಾರಿಕೋದ್ಯಮಗಳಲ್ಲಿಯೂ ನಡೆಯುತ್ತಿದೆ. ವಿಶ್ವೇಶ್ವರಯ್ಯ ಯೋಜನೆಯೆಂದು ಮೈಸೂರು ದೇಶದಲ್ಲಿ ಕಾಟೇಜ್ ಇಂಡಸ್ಟ್ರಿಗಳ ಅಭಿವೃದ್ಧಿಯಾಗಲೆಂದು ಹೋಬಳಿ ಹೋಬಳಿಯಲ್ಲಿಯೂ ಕೈಗಾರಿಕಾ ಸಂಸ್ಥೆಗಳನ್ನು ತೆರೆದದ್ದುಂಟು. ಆದರೆ ಇವರಲ್ಲಿ ಅಭಿವೃದ್ಧಿಯಾಗಿರುವುದನ್ನು ನೋಡಿದರೆ, ಅಭಿವೃದ್ಧಿಯಾಗುವುದಕ್ಕೆ ಬದಲು ಕೈಗಾರಿಕೆಗಳು ಹಿಂದೆ ಹೋಗಿವೆ. ಯಾವ ಉದ್ದೇಶಕ್ಕಾಗಿ ಹಣವನ್ನು ಕೊಟ್ಟಿದ್ದಾರೋ ಆ ಉದ್ದೇಶ ಸಾಧನೆಯಾಗದೆ ಇರುವುದು ಕಂಡುಬಂದಿದೆ. ಆದುದರಿಂದ ನಾವು ಕಾನೂನನ್ನು ರಚನೆಮಾಡುವಾಗ ಯಾವ ಉದೇಶಕ್ಕಾಗಿ ಅದನ್ನು ಮಾಡುತ್ತೇವೋ ಆ ಉದ್ದೇಶ ಸಫಲವಾಗುವಂತೆ ಮಾಡಬೇಕು. ಎಂದರೆ, ಕಾರ್ಯರಂಗದಲ್ಲಿ ಕಾನೂನನ್ನು ಅನುಷ್ಠಾನಕ್ಕೆ ತರುವಾಗ ಸರಿಯಾಗಿ

ಅದು ನಡೆದುಕೊಂಡು ಬರುವ ವಿಧಾನಗಳಿರಬೇಕು. ಅದು ಸರಿಯಾಗಿ ಅನುಷ್ಠಾನಕ್ಕೆ ಬಾರದೇ ಹೋದರೆ ಅಲ್ಲಲ್ಲೇ ಪರಿಶೀಲಿಸಿ ಸರಿಪಡಿಸುವ ಪದ್ಧತಿ ಇರಬೇಕು. ಆದರೆ ಈಗ ನೋಡಿದರೆ, ಕಾನೂನಿನ ಪ್ರಕಾರ ಆಗಬೇಕಾದ ಕೆಲಸ ಕಾರ್ಯಗಳು ಯಾವ ರೀತಿ ಆಗುತ್ತಿವೆ ಎನ್ನುವುದಕ್ಕೆ ಗಮನ ಕೊಡುವ ರೀತಿಯಲ್ಲಿ ಕೆಲಸ ನಡೆದುಕೊಂಡು ಬರುತ್ತಿಲ್ಲ. ಇಂಥ ಉದಾಹರಣೆಗಳ ಒಂದು ದೊಡ್ಡ ಪಟ್ಟಿಯನ್ನೇ ಮಾಡಬಹುದು. ಆದರೂ ಇಂಥ ಲೋಪದೋಷಗಳನ್ನು ತಿದ್ದುವುದಕ್ಕೆ ಈ ಕಾನೂನಿನಲ್ಲಿ ಯಾವ ಯಾವ ಅಂಶಗಳನ್ನು ಅಡಕಮಾಡಿ, ಹಿಂದಿನ ಕಾನೂನಿಗಿಂತ ಇದನ್ನು ಯಾವ ರೀತಿ ಉತ್ತಮ ಮಾಡಿದ್ದಾರೆ ಎಂದು ನೋಡಿದರೆ, ಅಂಥಾದ್ದು ನನಗೇನೂ ಕಂಡುಬರುತ್ತಿಲ್ಲ. ನಾನು ಒಂದು ನಿದರ್ಶನ ಮಾತ್ರ ಹೇಳುತ್ತೇನೆ. ನಾನು ಬರಿಯ objective ವಿಚಾರ ಹೇಳಿ ಅಲ್ಲಿಗೇ ಬಿಡುತ್ತೇನೆ. ಏಕೆಂದರೆ, ಈ ಮಸೂದೆ ಸೆಲೆಕ್ಟ್ ಕಮಿಟಿಗೆ ಹೋಗುತ್ತಿದೆ, ಅಲ್ಲಿ ಆಲೋಚನೆ ಮಾಡಬಹುದು. ಒಂದು ಕಾನೂನನ್ನ ರಚನೆ ಮಾಡುವಾಗ ಅದನ್ನು ಉಲ್ಲಂಘನೆ ಮಾಡುವುದರಿಂದ ದೇಶಕ್ಕೆ ಆಗತಕ್ಕ ಪರಿಣಾಮವೇನೆಂಬುದನ್ನು ಆಲೋಚನೆ ಮಾಡಬೇಕು. ಜಾಗರೂಕತೆಯಿಂದ ಕಾನೂನನ್ನು ರಚನೆ ಮಾಡಬೇಕು. ಇದಕ್ಕೆ ಕಾರಣಕರ್ತರು ಯಾರೆಂಬ ಪ್ರಶ್ನೆ ಬರುತ್ತದೆ. ಕಾನೂನು ಜಾರಿ ಮಾಡುವುದರಲ್ಲಿ ಉಪೇಕ್ಷೆ ಮಾಡಿದರೆ, ಅದರ ವಿಷಯದಲ್ಲಿ ಉತ್ಸಾಹ ಕಡಮೆಯಾಗಿ, ತಾನೇತಾನಾಗಿ ಮನುಷ್ಯನಲ್ಲಿ ಕಾನೂನನ್ನು ಮುರಿಯುವ ಉದ್ದೇಶ ಬೆಳೆದರೆ ಆ ಕಾನೂನಿನ ಉದ್ದೇಶಕ್ಕೆ ಧಕ್ಕೆ ಬರುತ್ತದೆ. ಆದುದರಿಂದ ಇದುವರೆಗೆ ಮಾಡಿರುವ ಕಾನೂನಿನಲ್ಲಿ ಏನೇನು ಲೋಪದೋಷಗಳು ಕಂಡುಬಂದಿವೆ, ಎಷ್ಟುಮಟ್ಟಿಗೆ ಈಗಿರತಕ್ಕ ಅಧಿಕಾರಿಗಳು ಉಪೇಕ್ಷೆ ಮಾಡಿದ್ದಾರೆ, ಆ ರೀತಿ ಮಾಡಿರುವುದನ್ನು ತಪ್ಪಿಸಲು ಇದರಲ್ಲಿ ಏನು ಮಾಡಿದ್ದಾರೆ ಎನ್ನುವುದನ್ನು ನೋಡದೆ ಹೋದರೆ ನಾವು ಮಾಡತಕ್ಕ ಕೆಲಸ ನಿಷ್ಫಲವಾಗುತ್ತದೆ. ನಾನು ಈಗ ಹೆಚ್ಚು ಹೇಳುವುದಿಲ್ಲ, ಕೆಲವಾರು ಅಂಶಗಳನ್ನು ಮಾತ್ರ ಹೇಳಿ ಈ ಮೂಲಕ ಹೀಗೆಯೇ ಎಷ್ಟೋ ಇವೆ ಎಂಬುದನ್ನು ತಿಳಿಸಲು ಪ್ರಯತ್ನ ಮಾಡುತ್ತೇನೆ.

ಪ್ರತಿಯೊಂದು ಸಹಕಾರ ಸಂಘದಲ್ಲಿಯೂ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ಎಂದಿರುತ್ತದೆ. ಅದು ವರ್ಷಕ್ಕೊಮ್ಮೆ ನಡೆಯಬೇಕು. ಎಂದರೆ ಜೂನ್ 30 ರಿಂದ ಜುಲೈ ಒಂದರ ವರೆಗೆ ಒಂದು ವರ್ಷ ಎಂದು ವಿಧಾಯಕವಾಗಿರುತ್ತದೆ. ಆ ವರ್ಷದ ಅವಧಿ ಜುಲೈ ಒಂದರ ವರೆಗೆಂದಿದ್ದರೂ ಕೊನೆಯಪಕ್ಷ ಹಿಂದಿನ ವರ್ಷದ ನಾಲ್ಕು ತಿಂಗಳಾದರೂ ಅದರೊಡನೆ ಸೇರಿಕೊಂಡಿರುತ್ತದೆ. ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗಿನ ಉದ್ದೇಶವೇನೆಂದರೆ, ಯಾವ ಡೈರೆಕ್ಟರನ್ನು ಜನರಲ್ ಬಾಡಿಯವರು ಚುನಾಯಿಸಿರುತ್ತಾರೋ ಅವರು ಆ ಅವಧಿಯಲ್ಲಿ ನಡೆಯುತಕ್ಕ ಕೆಲಸ ಕಾರ್ಯಗಳಿಗೆ ಜವಾಬ್ದಾರರು ಅಥವಾ ಬದ್ಧರು ಎಂಬುದು. ಇದುವರೆಗೆ ನಡೆದುಕೊಂಡು ಬಂದಿರುವುದನ್ನು ನೋಡಿದರೆ, ಕಾಲಕ್ಕೆ ಸರಿಯಾಗಿ ಈ ಜನರಲ್ ಬಾಡಿ ನಡೆಯುತ್ತಲೇ ಇಲ್ಲ. 1953-54ರ ಅವಧಿಯ ಜನರಲ್ ಬಾಡಿ 1955ರಲ್ಲಿ ನಡೆಯುತ್ತದೆ. ಉದಾಹರಣೆಗೆ ಬೆಂಗಳೂರಿನ ಲ್ಯಾಂಡ್ ಮಾರ್ಟ್‌ಗೇಜ್ ಕೋ-ಆಪರೇಟಿವ್ ಬ್ಯಾಂಕಿನ ವಿಚಾರ ಹೇಳುವುದಾದರೆ, 1956-57ನೆಯ ಸಾಲಿನ ಲೆಕ್ಕಗಳನ್ನು ಇನ್ನೂ ಜನರಲ್ ಬಾಡಿಯ ಮುಂದೆ ಇಡಬೇಕಾಗಿದೆ. ಅವರು ಬಡ್ಜೆಟ್ ತಯಾರು ಮಾಡುವುದು ಯಾವ ವರ್ಷಕ್ಕೆ? ಇದನ್ನು ಏಕೆ ಹೇಳುತ್ತೇನೆಂದರೆ ಒಂದು ವರ್ಷದ ಅವಧಿಯಲ್ಲಿ ಒಂದು ಸಂಘದ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ನಡೆಯಬೇಕು ಎಂದಿರುವಾಗ, ಈ ರೀತಿ ಯಾವುದೋ ಕಳೆದುಹೋದ ವರ್ಷಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟುದನ್ನು ಬೇರೆ ಡೈರೆಕ್ಟರುಗಳ ಮುಂದೆ ಚರ್ಚೆ ಮಾಡಿದರೇನು ಪ್ರಯೋಜನ? ಏನಾದರೂ ಲೋಪದೋಷಗಳು ಕಂಡುಬಂದರೆ ಯಾರು ಜವಾಬ್ದಾರರು? 1957-58ನೆಯ ಸಾಲಿನ ಲೆಕ್ಕಾಚಾರ ಇನ್ನೂ ಆಗಿಲ್ಲ. ಈಗ ಆಗಿರುವುದು 1955-56ನೆಯ ಸಾಲಿನದು. ಕೆಲಸವನ್ನು ನಡೆಸಿದ ಡೈರೆಕ್ಟರುಗಳು ಹೊರಟುಹೋಗಿದ್ದಾರೆ. ಹಿಂದಿನ ಲೋಪದೋಷಗಳನ್ನು ಬಗೆಹರಿಸುವವರಾರು? ಕಾನೂನಿನ ವಿಷಯದಲ್ಲಿ ಇಷ್ಟುಮಟ್ಟಿನ ಉಪೇಕ್ಷೆ ಮಾಡಿದರೆ ಹೇಗೆ? ಅಧಿಕಾರಿಗಳನ್ನು ಕೇಳಿದರೆ ಅವರು ಹಾಸ್ಯ ಮಾಡುತ್ತಾರೆ. ಇದು ಹಾಸ್ಯಾಸ್ಪದವಾಗಿದೆ. ಸರ್ಕಾರದವರು ಪ್ರಜೆಗಳಿಂದ ಚುನಾಯಿತರಾಗಿರುವ ಸದಸ್ಯರಿರುವ ಈ ಸಭೆ ಮಾಡಿರುವ ಕಾನೂನನ್ನು ಇಷ್ಟು ಉಪೇಕ್ಷೆ ಮಾಡಿದರೆ ಹೇಗೆ? "Impracticable provisions are incorporated in the statute; how is it possible to implement t em" ಎಂದು ಹೇಳುತ್ತಾರೆ. ಕಾನೂನುಗಳನ್ನು ಸುಲಭವಾಗಿ ಉಲ್ಲಂಘನೆ ಮಾಡಲು ಅವಕಾಶವಿದ್ದರೆ, ಲೆಕ್ಕವಿಲ್ಲದೆ ಇರಲು ಅವಕಾಶವಿದ್ದರೆ, ಉಪೇಕ್ಷೆಯ ಮನೋಭಾವನೆಯಿಂದ ಕಾನೂನು ಮಾಡುವುದಾದರೆ, ಬರುವ ಹಣವನ್ನು ನಿಭಾಯಿಸುವುದಕ್ಕೆ ಸಾಧ್ಯವೆ ಎಂಬುದನ್ನು ಯೋಚನೆ ಮಾಡಬೇಕು. ಈ ರೀತಿ ಲೋಪವಿರುವ ಕಾನೂನು ಮಾಡಿದರೆ ಬಹಳ ಅಪಾಯವೊದಗುತ್ತದೆ. ಒಂದೇ ಒಂದು ಸೆಕ್ಷನ್‌ನಲ್ಲಿ ಎಷ್ಟು ತೊಡಕಿದೆಯೆಂಬುದನ್ನು ಗಮನಿಸಬೇಕು. ಕಾನೂನನ್ನು ರಚನೆ ಮಾಡುವವರು ಎಷ್ಟು ದೀರ್ಘವಾಗಿ ಆಲೋಚನೆ ಮಾಡಿದ್ದಾರೆಂಬುದಕ್ಕೆ ಇರುವ ಲೋಪದೋಷಗಳೇ ನಿದರ್ಶನವಾಗಿವೆ. ಎಷ್ಟೋ ಸೊಸೈಟಿಗಳಲ್ಲಿ ಹಣ ತಿಂದಿರುವ ವಿಚಾರ ಇದೇ ಸಭೆಯಲ್ಲಿ ಆಗಾಗ್ಗೆ ಚರ್ಚೆಗೆ ಬರುತ್ತಲೇ ಇದೆ. 1947ರಿಂದೀಚೆಗೆ ಎಷ್ಟೋ ಅಭಾಸವಾಗಿದೆ, ಅದನ್ನು ಗಮನಿಸಬೇಕು. ಶ್ರೀ ಅಚ್ಯುತಾನಂದ ಪುರೋಹಿತ್ ಎಂಬ ಒಬ್ಬ ಜ್ಞಾನಿಗಳು ಇಂಟರ್ ನ್ಯಾಷನಲ್ ಅಕೆಡಮಿ ಲಾ ಫ್ರೇಮಿಂಗ್ ಸೊಸೈಟಿ ವಿಚಾರದಲ್ಲಿ ಕೆಲವು ಮಾತುಗಳನ್ನು ಹೇಳಿದ್ದಾರೆ. 1947ರಿಂದೀಚೆಗೆ ನಡೆಯುತ್ತಿರುವ ಲೋಪದೋಷಗಳು ಹಿಂದೆ ಎಂದೂ ನಡೆದಿಲ್ಲ, ಹಿಂದೂಸ್ಥಾನದ ಐದುಸಾವಿರ ವರ್ಷಗಳ ಚರಿತ್ರೆ ಪುಟಗಳನ್ನು ತಿರುವಿಹಾಕಿದರೆ ಅಂಥದು ಒಂದೂ ಕಾಣುವುದಿಲ್ಲ ಎಂದು ಪಾಟ್ನ ಇಂಟರ್ನಲ್ ಲಾಯರ್ಸ್ ಅಸೋಸಿಯೇಷನ್ ಅಡ್ರೆಸ್‌ನಲ್ಲಿ ಹೇಳಿದ್ದಾರೆ. ಹಾಗಿರುವಾಗ ಕಾನೂನು ಮಾಡುವಾಗ ಉಪೇಕ್ಷೆ ಮನೋಭಾವವಿರಬಾರದು. ಹಿಂದಿನ ಕಾನೂನಿನಲ್ಲಿ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ವಿಚಾರದಲ್ಲಿದ್ದ ಸೆಕ್ಷನ್ ಚೆನ್ನಾಗಿತ್ತು. ಈಗ ಅದಕ್ಕಿಂತ ಅಧ್ವಾನವಾಗಿರುವ ಸೆಕ್ಷನ್ ಹಾಕಿದ್ದಾರೆ; ಕಾನೂನನ್ನು ಇನ್ನಷ್ಟು ಸಡಿಲ ಮಾಡಿ ಅನರ್ಥಕ್ಕೆ ಕಾರಣವಾಗುವ ರೀತಿಯಲ್ಲಿ ಮಾಡಿದ್ದಾರೆ. ಈಗಿನ ಕಾನೂನಿನ 27ನೆಯ ಸೆಕ್ಷನ್‌ನಲ್ಲಿ ಈರೀತಿಯಿದೆ:

> "The final authority in a Co-operative Society shall vest in the general body of members:
>
> Provided that, where the bye-laws of a co-operative society pro-

(ಶ್ರೀ ಕೆ. ಕಂಚಪ್ಪ)

vide for the constitution of a smaller body consisting of delegates of members of the society elected in accordance with such bye-laws, the smaller body shall exercise such powers of the general body as may be prescribed or as may be specified in the bye-laws of the society:

Provided further that nothing in this section shall affect any powers conferred on a committee or any officer of a co-operative society by the rules or the bye-laws."

ಇದರ ಪ್ರಕಾರ ಫೈನಲ್ ಅಥಾರಿಟಿ ಯಾರು ಎಂಬುದನ್ನು ನೋಡಬೇಕು. ಯಾವುದಾದರೂ ಒಂದು ಸಣ್ಣ ಸಭೆ, ಡೈರೆಕ್ಟರುಗಳ ಮೀಟಿಂಗ್ ಆದರೆ ಬೈಲಾಗಳನ್ನು ಮಾಡಿಬಿಡಬಹುದು. ಈ ಬೈಲಾಗಳು ಮತ್ತೆ ಜನರಲ್ ಬಾಡಿಯಲ್ಲಿ ಬರಬೇಕೆಂದು ಕಾನೂನಿನಲ್ಲಿ ಹೇಳಿಲ್ಲ. ಅವು ಎಲ್ಲಿಗಾದರೂ ಹೋಗಿ ಬರಬಹುದು, ಸರ್ಕಾರಕ್ಕೆ ಹೋಗಿ ಮಂಜೂರಾಗಿ ಬಂದರೆ ಮುಗಿದು ಹೋಯಿತು. ಈ ದೃಷ್ಟಿಯಿಂದ ಜನರಲ್ ಬಾಡಿಗೆ ಹಿಂದಿದ್ದ ಅಧಿಕಾರ ಬಹಳ ಕುಂಠಿತವಾಗಿದೆ.

ಆಮೇಲೆ ಆನ್ಯುಯಲ್ ಜನರಲ್ ಮೀಟಿಂಗ್ ವಿಚಾರದಲ್ಲಿ ಈರೀತಿ ಹೇಳಿದೆ:

"*Annual general meeting.*—(1) A general meeting of a co-operative society shall be held once in a year within a period of three months after the date fixed for making up its accounts for the year under the rules or bye-laws for the time being in force for the purpose. . ."

ಇದರ ಪ್ರಕಾರ ಇಷ್ಟೇ ದಿವಸಗಳಲ್ಲಿ ಲೆಕ್ಕ ತಯಾರಿಸಬೇಕೆಂದು ಗೊತ್ತು ಮಾಡಿಲ್ಲ. ಈ ವರ್ಷದ ಲೆಕ್ಕಗಳನ್ನು ಯಾವಾಗ ಬೇಕಾದರೂ ಮಾಡಬಹುದು. ಈ ವರ್ಷವೇ ಮಾಡಬೇಕೆಂದಿಲ್ಲ. ಹಿಂದಿನ ಕಾನೂನು ಪ್ರಕಾರ ವರ್ಷಾಖೈರಾದ ನಾಲ್ಕು ತಿಂಗಳುಗಳೊಳಗೇ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ಮಾಡಬೇಕೆಂದಿತ್ತು. ಈಗ "A general meeting of a co-operative society shall be held once a year. . . ." ಎಂದು ಹೇಳಿರುವುದರಿಂದ ಅಷ್ಟಾಗಿ ನಿರ್ಬಂಧವಿಲ್ಲ. ವರ್ಷದ ಲೆಕ್ಕ ತಯಾರಾದ ಮೇಲೆ ಮೂರು ತಿಂಗಳ ನಂತರ ಮೀಟಿಂಗ್ ಮಾಡಬೇಕೆಂದು ಹೇಳಿದೆ. ಇದರಿಂದ ಬೇಕಾದಷ್ಟು ಅನಾನುಕೂಲವಾಗುತ್ತದೆ. ಕೆಲವು ಸೊಸೈಟಿಗಳಲ್ಲಿ ಹತ್ತು-ಹನ್ನೆರಡು ವರ್ಷದ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗೇ ಆಗಿಲ್ಲ. ರಿಜಿಸ್ಟ್ರಾರ್‌ಅವರು ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ಕರೆಯಬಹುದು, ಸೂಕ್ತ ಕ್ರಮ ಕೈಕೊಳ್ಳಬಹುದು ಎಂದು ಹಿಂದೆ ಕಾನೂನಿನಲ್ಲಿದ್ದರೂ ಅದರಂತೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುವುದು ಸಹ ಬಹಳ ಕಡಮೆಯಾಗಿದೆ. ಮತ್ತು ಮೀಟಿಂಗ್ ಯಾವಾಗ ಕರೆಯಬೇಕು ಎಂದು ಸೂಚಿಸುವಾಗ 'may' ಎಂಬ ಪದವನ್ನು ಉಪಯೋಗಿಸಿದ್ದಾರೆ. ಸಕಾಲದಲ್ಲಿ ಮೀಟಿಂಗ್ ಕರೆಯದಿದ್ದರೆ ರಿಜಿಸ್ಟ್ರಾರ್‌ಅವರು ಸೂಕ್ತ ಕ್ರಮ ಅನೇಕ ವೇಳೆ ಕೈಕೊಂಡಿಲ್ಲ. ಇದರಿಂದ ಎಷ್ಟೋ ಅನರ್ಥವಾಗಿದೆ. ಹೀಗೆ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ಕರೆಯದಿದ್ದರೆ, ರಿಜಿಸ್ಟ್ರಾರ್‌ಅವರು ಆ ಬಗ್ಗೆ ಸೂಕ್ತ ಕ್ರಮ ಕೈಕೊಳ್ಳದಿದ್ದರೆ ಆ ಬಗ್ಗೆ ಏನು ಕ್ರಮ ಕೈಕೊಳ್ಳಬೇಕೆಂಬುದನ್ನು ಸೂಚಿಸಿದ್ದೀರಾ? ಈ ವಿಚಾರದಲ್ಲಿ ಒಂದು ಶಬ್ದ ಸಹ ಇಲ್ಲ. ಇಷ್ಟ ಬಂದರೆ ಕರೆಯಬಹುದು, ಇಲ್ಲದಿದ್ದರೆ ಬಿಡಬಹುದು. ಬಾಕಿ ವಿಚಾರಗಳನ್ನು ಬೇರೆಯವರಿಗೆ ಬಿಡುತ್ತೇನೆ. ಇನ್ನೂ ಬೇಕಾದಷ್ಟು ವಿಷಯಗಳಿವೆ.

4 P.M.

ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ಮಾಡಬೇಕೆಂದು ಒಂದು ಕ್ಲಾಜಿನಲ್ಲಿದೆ. ಮತ್ತು ಆಡಿಟ್ ಸಹ ಮಾಡಬೇಕೆಂದು ಕಾನೂನಿನಲ್ಲಿದೆ. ಈ ಆಡಿಟ್ ಕೆಲಸವನ್ನು ರಿಜಿಸ್ಟ್ರಾರ್ ಅವರು ಅಥವಾ ನೇಮಕವಾದವರು ಮಾಡಬಹುದು. ಆಡಿಟ್ ಮಾಡಿ ಅಲ್ಲಿರುವ ಲೋಪದೋಷಗಳನ್ನು ಕಂಡು ಹಿಡಿಯುವುದು ಮುಖ್ಯ ಕೆಲಸವಾಗಿದೆ. ಆದರೆ ಆಡಿಟರರು ಆಡಿಟ್ ಮಾಡುವುದಕ್ಕೆ ಹೋದರು ಎಂದರೆ ಆಗಿಹೋಯಿತು. ಅವರಿಗೆ ನಡೆಯುವ ಆತಿಥ್ಯದ ಮೇಲೆಯೇ ಅವರ ಆಡಿಟ್ ನೋಟ್ಸು ಬರುತ್ತವೆ. ಇದು ಎಲ್ಲರೂ ತಿಳಿದಿರುವ ವಿಚಾರ. ಆಡಿಟರರು ಆಡಿಟ್ ಮಾಡಿದ ನಂತರ 10 ಸಾವಿರ, 20 ಸಾವಿರ, 30 ಸಾವಿರ ರೂಪಾಯಿಗಳವರೆಗೆ ಹಣ ದುರುಪಯೋಗಪಡಿಸಿಕೊಂಡದ್ದು ಕಂಡ ಬಂದ ಮೇಲೆ ಮತ್ತೆ ಸ್ಪೆಷಲ್ ಆಡಿಟ್ ಮಾಡಬೇಕೆಂದು ಏರ್ಪಾಡು ಆಗುತ್ತದೆ. ಹೀಗೆ ಇದ್ದರೂ ಸಹ ಆಡಿಟರ್ ಮೇಲೆ ಯಾವ ಕ್ರಮವನ್ನೂ ತೆಗೆದುಕೊಳ್ಳಲಾಗುವುದಿಲ್ಲ. ಅದೇ ಇಲಾಖೆಯಲ್ಲಿರುವ ಸಹಕಾರ ಸಂಘಗಳಿಗೆ ಅಧೀನವಾಗಿರತಕ್ಕ ಸಿಬ್ಬಂದಿಯಿಂದ ಆಡಿಟ್ ಮಾಡಿಸಕೂಡದು. ಬೇರೆಯವರು ಯಾರಾದರೂ ಆಡಿಟ್ ಮಾಡಬೇಕು, ಹಾಗೂ ಆಡಿಟರ್ ಮೇಲೆ ಸಹ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳುವುದಕ್ಕೆ ಅವಕಾಶವಿರಬೇಕು. ಇಲ್ಲದೇ ಇದ್ದರೆ ಖಂಡಿತವಾಗಿ ಯಾವ ಸುಧಾರಣೆಯೂ ಆಗುವುದಿಲ್ಲ. ಈ ರೀತಿ ಮಾಡುವುದಕ್ಕೆ ಕಾನೂನಿನಲ್ಲಿ ಪ್ರೊವಿಜನ್ ಇಲ್ಲ. ಹೀಗೆ ಇರುವ ಹಾಗೆ ಮಾಡಬೇಕು. ಇಷ್ಟೇ ಅಲ್ಲದೆ ಆಡಿಟ್ ಆದ ನಂತರ ಜನರಲ್ ಬಾಡಿ ಮೀಟಿಂಗ್ ಕರೆಯದೆ ಹೋದರೆ ಡೈರೆಕ್ಟರ ಮೇಲೆ ಕ್ರಮ ತೆಗೆದುಕೊಳ್ಳಲು ಬರುವ ಹಾಗೆ ಒಂದು ಅವಕಾಶವಿರಬೇಕು. ಇವೆಲ್ಲ ಸೊಸೈಟಿಗಳೂ ಸಹಕಾರ ಪದ್ಧತಿಯ ಮೇಲೆ ನಡೆಯತಕ್ಕಂಥಾದ್ದಾಗಿವೆ. ಆದರೆ ಅಲ್ಲಿ ನಡೆದಿರುವ ಸಹಕಾರ ನೋಡಿದರೆ ನಾವೂ ನೀವೂ ಬೇರೆ ಅಲ್ಲ. ಒಬ್ಬರಿಗೊಬ್ಬರು ಸಹಾಯ ಮಾಡಿಕೊಂಡು ಇರೋಣ ಎಂಬಂತಿದೆ. ಐದು ಸಾವಿರ ರೂಪಾಯಿ ಒಬ್ಬರು ತೆಗೆದುಕೊಂಡು ಹೋದರೂ ಸಹ ಗೊತ್ತಾಗುವುದಿಲ್ಲ. ಇಂಥ ಸಹಕಾರ ಪದ್ಧತಿಯಿಂದ ಪ್ರತಿನಿಧಿಗಳು ಹಣವನ್ನು ದುರುಪಯೋಗಪಡಿಸಿಕೊಳ್ಳುತ್ತಿದ್ದಾರೆ. ಈ ರೀತಿಯಾಗಿ ಬೆಂಗಳೂರು ಕಂಟೋನ್‌ಮೆಂಟ್ ಕೋ-ಆಪರೇಟಿವ್ ಸೊಸೈಟಿಯಲ್ಲಿ ಎಷ್ಟು ಹಣ ದುರುಪಯೋಗವಾಗಿಲ್ಲ? ಹಿರಿಯೂರು ಸೊಸೈಟಿಯಲ್ಲಿ ಹಣ ದುರಪಯೋಗವಾಗಿದೆ. ಅದೇ ರೀತಿ ತುಮಕೂರಿನಲ್ಲಿ ಆಗಿದೆ. ಚಿತ್ರದುರ್ಗ ಸೊಸೈಟಿಯಲ್ಲಿ 23 ಸಾವಿರ ರೂಪಾಯಿ ಹಣ ದುರುಪಯೋಗವಾಗಿದೆ.

Sri G. SIVAPPA.—The Hon'ble Member is possibly referring to misappropriation in a society in which

I was the President. I may tell him that every pie of it has been recovered.

ಶ್ರೀ ಕೆ. ಕೆಂಚಪ್ಪ.—ಇದನ್ನೆಲ್ಲಾ ನಾನು ಏಕೆ ಹೇಳುತ್ತಿದ್ದೇನೆ ಎಂದರೆ ಈ ರೀತಿ ಆಗುತ್ತಿರುವುದು ಪ್ರತಿ ದಿವಸ ನಮಗೆ ಕಂಡುಬರುತ್ತಿದೆ. ಇದರಿಂದ ಒಂದು ಭಾಗದ ತಮ್ಮ ತಮ್ಮ ಜನರಿಗೆ ಮಾತ್ರ ಅನುಕೂಲವಾಗುವಂತೆ ಸಹಕಾರ ನಡೆಯುತ್ತಾ ಇದೆ. ನಿಜವಾಗಿ ಯಾರ ಹಿತಕ್ಕೋಸ್ಕರ ಈ ಸಹಕಾರ ಸಂಘಗಳು ಇರುವುವೋ ಅಂಥವರಿಗೆ ಉಪಯೋಗವಾಗುತ್ತಿಲ್ಲ. ಈ ಸಹಕಾರ ಸಂಘಗಳಿಂದ ಯಾರಿಗೆ ಸೌಕರ್ಯ ದೊರೆಯಬೇಕಾಗಿದೆಯೋ ಅಂಥವರು ಮಾತ್ರ ಒಣಗಿಹೋಗಿಬಿಟ್ಟಿದ್ದಾರೆ, ಎಂಬುದು ಕಂಡು ಬರುತ್ತದೆ. ಈಗ ಉಂಟಾಗಿರುವ ಇಂಥ ಅನಿಷ್ಟ ಪರಿಣಾಮದ ಪ್ರತಿಫಲವನ್ನು ಎಲ್ಲರೂ, ಮಾಡಿದವರೂ, ಮಾಡದೇ ಇದ್ದವರೂ, ನಿರುಪದ್ರವಿಗಳೂ ಸಹ ಅನುಭವಿಸಬೇಕಾಗಿದೆ. ಹೀಗಾಗುವುದರಿಂದ ಎಲ್ಲರೂ ನಾಶವಾಗುತ್ತಾರೆ. ನಾವು ಸಮಾಜವಾದಿ ತತ್ವದ ಪ್ರಕಾರ ಸಮಾಜವನ್ನು ಕಟ್ಟಬೇಕೆಂದು ಹೊರಟಿದ್ದೇವೆ. ದೇಶದ ಕಲ್ಯಾಣಕ್ಕೋಸ್ಕರ ಒಂದು ಸರಿಯಾದ ವ್ಯವಸ್ಥೆಯನ್ನು ಮಾಡಬೇಕಾಗಿದೆ. ಅವರಿವರಿಗೆ ಸಹಾಯ ಮಾಡುವ ಹವ್ಯಾಸವನ್ನು ಬಿಟ್ಟುಕೊಟ್ಟು ಸಮಾಜದ ಕಲ್ಯಾಣಕ್ಕೋಸ್ಕರ ಈ ಕೋ-ಆಪರೇಟಿವ್ ಮೂವ್‌ಮೆಂಟ್ ಪದ್ಧತಿಯನ್ನು ಅನುಸರಿಸುತ್ತಿದ್ದೇವೆ. ಇದೊಂದು ಪವಿತ್ರವಾದ ಪದ್ಧತಿಯು ಇರುವುದರಿಂದ ಸಂಕುಚಿತ ಭಾವನೆಯನ್ನು ಇಟ್ಟುಕೊಳ್ಳಬಾರದು. ಮುಲಾಜಿಗೋಸ್ಕರ ಕೆಲಸ ಮಾಡಿದರೆ ದೇಶ ಅಭಿವೃದ್ಧಿಯಾಗುವುದಿಲ್ಲ. ಇದುವರೆಗೆ ನಡೆದುಕೊಂಡು ಬಂದಿರತಕ್ಕಂಥ ಅನಿಷ್ಟ ಪದ್ಧತಿಯನ್ನು ತೊಡೆದುಹಾಕಲು ಪ್ರಯತ್ನಪಡಬೇಕು. ಆದುದರಿಂದ ನಾನು ಸ್ಪಷ್ಟವಾಗಿ ಹೇಳುವುದೇನೆಂದರೆ ಸೊಸೈಟಿ ಆಡಿಟ್ ಮಾಡುವವರು ಬೇರೆಯವರು ಆಗಿರಬೇಕು. ನಾನು ಇದನ್ನು ಏತಕ್ಕೆ ಹೇಳುತ್ತಿದ್ದೇನೆಂದರೆ ಇಂದು ಆಡಿಟ್ ಮಾಡಿದವರೇ ನಾಳೆ ಅಲ್ಲಿಯ ನೌಕರರು ಆಗುತ್ತಾರೆ. ಈ ರೀತಿ ಅಂಥ ಸೊಸೈಟಿಯ ನವಕರಿಯಲ್ಲಿ ಇವರು ಸೇರಿಕೊಂಡದ್ದು ಕಂಡುಬಂದಿದೆ. ಈ ರೀತಿ ಮಾಡುವುದು ಆಡಿಟ್ ಮಾಡುವ ಲಕ್ಷಣವಲ್ಲ. ಇದನ್ನೆಲ್ಲಾ ನನಗೆ ತಿಳಿದಮಟ್ಟಿಗೆ ನಾನು ಹೇಳುತ್ತಿದ್ದೇನೆ. ಡಿಪಾರ್ಟ್‌ಮೆಂಟಿನಲ್ಲಿಯೇ ಇದ್ದವರು ಆಡಿಟ್ ಮಾಡಬಾರದು. ಆಡಿಟ್ ಸೆಕ್ಷನ್ ಒಂದು ಬೇರೆಯಾಗಿರಬೇಕು. ಒಂದು ವರ್ಷದೊಳಗೆ ಆಡಿಟ್ ಆಗದೇ ಹೋದರೆ ಕಾನೂನು ಪ್ರಕಾರ ಶಿಕ್ಷೆಗೆ ಗುರಿ ಮಾಡಬೇಕು. ಡೈರೆಕ್ಟರ್ ಆದವರು ಜವಾಬ್ದಾರರೆಂದು ತಿಳಿದುಕೊಳ್ಳಬೇಕು. ದೇಶದ ಕಲ್ಯಾಣಕ್ಕೋಸ್ಕರ ಅವರು ಕೆಲಸ ಮಾಡಲಿ.

Dr. R. NAGAN GOWDA (Hospet).—On a point of clarification, Sir. ಆಡಿಟ್ ಮಾಡುವುದಕ್ಕೆ ಒಂದು ಆಡಿಟ್ ಡಿಪಾರ್ಟ್‌ಮೆಂಟ್ ಇದೆ. ಆಡಿಟರ್ಸ್ ಹೋಗಿ ಆಡಿಟ್‌ಮಾಡಬೇಕಾಗುತ್ತದೆ. ಇದನ್ನು ಸೊಸೈಟಿ ಡೈರೆಕ್ಟರ್ಸ್ ಮಾಡುವುದಿಲ್ಲ. ಆಡಿಟ್ ಮಾಡಿದ್ದನ್ನು ರಿಜಿಸ್ಟ್ರಾರ್‌ಅವರು ನೋಡುತ್ತಾರೆ. ಇದು ಡೈರೆಕ್ಟರ್ಸ್‌ಗೆ ಸಂಬಂಧ ಪಟ್ಟಿದ್ದಲ್ಲ. ಹೀಗೆ ಇರುವುದರಿಂದ ಡೈರೆಕ್ಟರ್ಸರನ್ನು ನೀವು ಹೇಗೆ ಜವಾಬ್ದಾರರು ಎಂದು ಹೇಳುತ್ತೀರಿ ?

ಶ್ರೀ ಕೆ. ಕೆಂಚಪ್ಪ.—ಅದು ಕ್ಲಾರಿಫಿಕೇಷನ್ ಅಲ್ಲ, ಸಲಹೆ. ಅದನ್ನು ತಮ್ಮ ಕಾಲದಲ್ಲಿ ಹೇಳಬಹುದು. ನಾನು ಹೇಳುವುದು ಆಡಿಟಿಂಗ್ ಎನ್ನುವ ಒಂದು ಪ್ರತ್ಯೇಕ ಇಲಾಖೆ ಹೊಸದಾಗಿ ಮಾಡಬೇಕು. ಅವರಿಗೆ ಇರುವ ಅಧಿಕಾರ ಬೇರೆ ಯಾರಿಗೂ ಇರಬಾರದು ಅವರೇ ಆಡಿಟ್ ಮಾಡಬೇಕು. ಇದರಲ್ಲಿ ಇನ್ನೊಂದು ಕ್ಲಾಸ್ ಇರಬೇಕು. ಆಡಿಟರ್ ಆಡಿಟ್‌ಮಾಡಿರತಕ್ಕ ಅವಧಿಯಲ್ಲಿ ಅವನಿಗೆ ಕಾಣಿಸದೇ ಇರತಕ್ಕಂಥ ಅಂಶ ಕಂಡುಬಂದ ಭಾಗದಲ್ಲಿ ಅವನನ್ನು ಶಿಕ್ಷೆಗೆ ಗುರಿಪಡಿಸಲು ಪ್ರೊವಿಷನ್ ಇರಬೇಕು. ಮತ್ತು ಯಾವ ಡೈರೆಕ್ಟರ್ ಆಗಿರತಕ್ಕವರು ಜನರಲ್‌ಬಾಡಿ ಮೀಟೀಂಗನ್ನು ಗೊತ್ತಾದ ಅವಧಿಯಲ್ಲಿ ಕರೆಯುವುದಿಲ್ಲವೋ ಅವರ ಶಿಕ್ಷೆಗೆ ಅವಕಾಶವಿರಬೇಕು. ಏಕೆ ಹೇಳುತ್ತೇನೆ ಎಂದರೆ ಆರ್ಥಿಕ ಶಾಸ್ತ್ರವನ್ನು ಓದಿದವರಿಗೆ ಒಂದು ಚರಿತ್ರೆ ನೆನಪಿಗೆ ಬರುತ್ತದೆ. ಪೃಥ್ವಿಯಲ್ಲಿ, ಮೊದಲು ಆರ್ಥಿಕ ಸಮಸ್ಯೆಗೆ ಸಂಬಂಧಪಟ್ಟ ಎಕನಾಮಿಕ್ ಪಾಲಸಿಯಲ್ಲಿ ಸಹಕಾರಪದ್ಧತಿ ಎನ್ನುವುದು ಫ್ರಾನ್ಸ್‌ನಲ್ಲಿ ಅತ್ಯಧಿಕವಾಗಿ ನಡೆದುಕೊಂಡು ಬಂದಾಗ—ಯಾವುದೇ ಒಂದು ಸಂಸ್ಥೆ ಆಗಲಿ ಲೋಪದೋಷಗಳು ಇರುತ್ತವೆ—ಅಲ್ಲೂ ಸಹ ಬೇಕಾದಷ್ಟು ಲೋಪದೋಷಗಳು ಇದ್ದವು. ಆ ಲೋಪದೋಷಗಳನ್ನು ತಿದ್ದಿಕೊಂಡು ಅವನ್ನು ಉದ್ಧಾರ ಮಾಡುವುದಕ್ಕೆ ಬೇಕಾದಷ್ಟು ವಿಚಾರಗಳನ್ನು ಕಾನೂನಿನಲ್ಲಿ ಇಟ್ಟು ಆ ಮೂಲಕ ಸಾಂಪ್ರದಾಯಿಕವಾಗಿ ಮನುಷ್ಯನ ನಡವಳಿಕೆ ಒಂದು ಪದ್ಧತಿಗನುಸಾರವಾಗಿ ಬರುವುದಕ್ಕೆ ಹಲವಾರು ದಿವಸಗಳು ಹಿಡಿದವು. 20-25ವರ್ಷ ಸರಿಯಾದ ತನಿಖೆ ಕ್ರಮ ಮತ್ತು ಮಾಡಬಾರದ ಕೆಲಸಗಳನ್ನು ಮಾಡಿದಕ್ಕೆ ಕಾನೂನು ಉಲ್ಲಂಘನೆಮಾಡಿದ್ದಕ್ಕೆ ಸಹಿಸಲಾರದಂಥ ಶಿಕ್ಷೆಗಳನ್ನು ಇಟ್ಟುಕೊಂಡದ್ದರಿಂದ ಸರಿಹೋಯಿತು. ಅಲ್ಲಿ ಆ ರೀತಿಯಾಗಿ ಸಹಕಾರ ಪದ್ಧತಿ ಸಾಂಪ್ರದಾಯಿಕವಾಗಿ ನಡೆದುಕೊಂಡು ಬಂದಿರುವುವರಿಂದ ಅದು ಪೃಥ್ವಿಗೇ ಒಂದು ಮಾದರಿ ಆಯಿತು. ಆ ಮೂಲಕ ಸಹಕಾರ ಪದ್ಧತಿಯು ಏರ್ಪಾಡು ದೇಶದಲ್ಲಿ ನೆಲಸಬೇಕೆಂಬ ಒಂದು ಭಾವನೆ ಪ್ರತಿಯೊಬ್ಬರಲ್ಲೂ ಬರುತ್ತಾ ಇದೆ. ಆ ದೃಷ್ಟಿಯಿಂದ ಇದುವರೆಗೂ ನಮ್ಮಲ್ಲಿ ಈಗ ಈ ಅನಿಷ್ಟ ನಡೆದುಕೊಂಡು ಬಂದಿರುವುದನ್ನು ನೋಡಿಕೊಂಡು ಅದಕ್ಕೆ ಮುಖ್ಯವಾಗಿ ಏನು ಮಾಡಬೇಕೆನ್ನುವುದನ್ನು ತಿಳಿದುಕೊಂಡು ಅದಕ್ಕೆ ಬೇಕಾದ ಸಲಕರಣೆಗಳನ್ನು ಇಡಲಿಕ್ಕೇಬೇಕು. ಇಲ್ಲದೇ ಇದ್ದರೆ ಈ ಕೆಟ್ಟ ಅಭ್ಯಾಸ ಎನ್ನುವುದು, it develops itself in multiple directions ಎಂದರೆ it is not by addition but by multiplication. ಈ ರೀತಿಯಲ್ಲಿ ಹೆಚ್ಚಿ ಇದುವರೆಗೂ ಅದನ್ನು ಚೆಕ್‌ಮಾಡುವುದಕ್ಕೆ ಒಂದು ದಾರಿ ಇರಲಿಲ್ಲ. ಈಗ ಚೆಕ್‌ಮಾಡುವುದಕ್ಕೆ ಬೇಕಾದಷ್ಟು ಮಾರ್ಗಗಳು ಇವೆ. ಆದ್ದರಿಂದ ಈ ಒಂದು ಸೆಕ್ಷನ್ನನ್ನು ತೆಗೆದುಕೊಂಡು ಇವತ್ತಿನದಿವಸ ಯಾವ ರೀತಿ ನಡೆದುಕೊಂಡು ಬರುತ್ತಾ ಇದೆ ಎನ್ನುವುದನ್ನು ಹೇಳಿದ್ದೇನೆ. ಮತ್ತು ಆಕ್ಟ್‌ನಲ್ಲಿ ಅಧ್ಯಕ್ಷರು, ಸೆಕ್ರೆಟೆರಿಗಳು, ಉಪಾಧ್ಯಕ್ಷರು ಇರಬೇಕೇ ಬೇಡವೇ, ಅದು optional ಅಥವಾ compulsoryಯೇ ಎನ್ನುವುದು ಇಲ್ಲ. ಒಂದು ಸೊಸೈಟಿ ಏನು ಬೇಕಾದರೂ ಮಾಡಿಕೊಳ್ಳಬಹುದು. ಇದುವರೆಗೂ ನೀವು ಮಾಡಿದ್ದರಲ್ಲಿ ಅಧ್ಯಕ್ಷರು ಇರಬೇಕು, ಒಬ್ಬ ಸೆಕ್ರೆಟೆರಿ ಇರಬೇಕು ಚುನಾಯಿತರಾದವರು ಎಂದು ಇಲ್ಲ. ಈ ದೃಷ್ಟಿಯಿಂದ ಸಹಿತ ಈಗಾಗಲೇ ನಾವು ಬಹಳ ದೂರ ಹೋಗಿದ್ದೇವೆ. ಸಹಕಾರ ಪದ್ಧತಿಯಲ್ಲಿ ಬಹಳ ದಾರಿಯನ್ನು ನಡೆದಿದ್ದೇವೆ. ಅಧ್ಯಕ್ಷರು ಇರತಕ್ಕದ್ದು compulsory ಎನ್ನುವುದನ್ನು ಇಡಬೇಕು ಮತ್ತು ಅವರಿಗೂ ಸಹ ಚೆಕ್‌ಇರಬೇಕು. ಈ ರೀತಿಯಾಗಿ ಇಲ್ಲಿ ಲೋಕಲ್ ಸೆಲ್ಫ್ ಗವರ್ನ್‌ಮೆಂಟ್ ಅಥವಾ ತಾವೇ ಆಡಳಿತಮಾಡತಕ್ಕ ಪದ್ಧತಿಯನು ಮತ್ತು ಅದನ್ನು ವಿಚಕ್ಷಣೆಯಿಂದ ದಕ್ಷತೆಯಿಂದ ನಿರ್ವ

(ಶ್ರೀ ಕೆ. ಕೆಂಚಪ್ಪ)

ಹಿಸುವುದಕ್ಕೆ ಇದರಲ್ಲಿ ತಕ್ಕ ಅವಕಾಶ ಕಲ್ಪಿಸದಿದ್ದರೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಈಗಿರತಕ್ಕ ಕಾನೂನು ಮಕ್ಕಿಕಾಮಕ್ಕಿ ಇದೆ, ಎಲ್ಲೋ ಅಲ್ಲೊಂದು ಪದ, ಇಲ್ಲೊಂದು ಪದ ಇದೆ, ಇದಕ್ಕಿಂತ ಇನ್ನು ಕಠಿಣವಾಗಿರ ತಕ್ಕ ಶಿಕ್ಷೆ ಮಾಡಬಾರದ ಕೆಲಸ ಮಾಡಿದವರಿಗೆ ಕೊಡುವುದಕ್ಕೆ ಮತ್ತು ಹೆಚ್ಚಿನ ಅಧಿಕಾರಕೊಡುವುದಕ್ಕೆ ಅವಕಾಶ ಇಲ್ಲ.

109ನೆಯ ಸೆಕ್ಷನ್‌ನಲ್ಲಿ ಈ ರೀತಿ ಇದೆ.—

"Offences: (1) Any person other than a co-operative society carrying on business under any name or title of which the word "Co-operative" or its equivalent in any Indian language, is part, without the sanction of the State Government, shall be punishable with a fine which may extend to two hundred rupees.

(2) Any member or past member or the nominee, heir, or legal representative of a deceased member of a co-operative society who contravenes the provision of section 35 by disposing of any property in respect of which the society is entitled to have a first charge under that section or do any other act to the prejudice of such claim, shall be punishable with fine which may extend to two hundred rupees."

ಯಾವನೋ ಒಬ್ಬ ಸತ್ತುಹೋದವನು ಮಾಡಬಾರದ ಕೆಲಸಮಾಡಿ ಬಿಟ್ಟರೆ ನಾಮಿನಿ ಅವನ ಮಕ್ಕಳಿಗೆ ಶಿಕ್ಷೆ! ಇದು ಯಾವ ಕಾನೂನಿನಲ್ಲಿ ಬರಬಹುದು? ಅಥವಾ ಕೋರ್ಟ್‌ಗೆ ಹೋದರೂ ಸಹಿತ ನಡೆಯುತ್ತದೆಯೋ? ಇಂತಹ ರೀತಿಯಲ್ಲಿ ಕಾನೂನು ಮಾಡಿದರೆ ಏನು ಹೇಳೋಣ? ಇದು ಒಂದು ನಿದರ್ಶನ. ಕಾನೂನುಮಾಡುವುದು ಅತಿ ಜವಾಬ್ದಾರಿಯುತವಾದುದು. ಸೆಕ್ಷನ್ ಎಂದರೆ ನಾಲ್ಕು-ಐದು ಪುಸ್ತಕ ಇಟ್ಟುಕೊಂಡು ಅದರಲ್ಲಿ ಒಂದು ಪದ ಇದರಲ್ಲಿ ಒಂದು ಪದ ಆರಿಸಿಕೊಂಡು ಒಂದು ಸೆಕ್ಷನ್‌ಮಾಡುವುದಲ್ಲ. ಅದರ ಬದಲು......

Sri J. H. SHAMSUDDIN (Deputy Minister for Finance).—There is no punishment. There is pecuniary liability.

Sri K. KENCHAPPA.—Punishment includes imprisonment also, and liability in the form of fines.

Sri MALI MARIAPPA.—Supposing there is a case where a particular Director can be proceeded against under surcharge proceedings; while surcharge proceedings are in progress or before the surcharge proceedings are commenced, the said Director dies. Is it not equitable and correct to recover the amount from his assets?

Sri K. KENCHAPPA.—It cannot be collected according to any known rule of law.

ಏಕೆಂದರೆ ಬೇಕಾದಷ್ಟು ಸಂದರ್ಭಗಳು ಇವೆ. ಯಾವುದಾದರೂ ಒಂದು ತಕ್ಸೀರುಮಾಡಿ ಅಥವಾ ಏನಾದರೂ ಮಾಡಬಾರದ ಕೆಲಸಮಾಡಿ ಅದು ಅವನ ನಡತೆಗೆ ಸಂಬಂಧಪಟ್ಟ ವಿಚಾರವಾಗಿದ್ದರೆ ಅಂಥದಕ್ಕೆ pecuniary liability fix ಮಾಡುವುದು ಯಾವ ಕಾನೂನಿನಲ್ಲಿರಬಹುದು ಸ್ವಾಮಿ? ಹೇಳುತಾ ಹೋದರೆ ಇದೇ ಒಂದು ಸಾಹಿತ್ಯವಾಗುತ್ತದೆ. ನಾನು ಮಾಡಬಾರದ ಕೆಲಸ ಮಾಡಿದ್ದರಿಂದ ನನ್ನ ಮಕ್ಕಳು liable ಆಗುತ್ತಾರೆ ಎನ್ನುವುದು ಯಾವ ಕಾನೂನಿನಲ್ಲೂ ಇಲ್ಲ. ಹೀಗೆ ನಾನಾ ನಮೂನೆಯಲ್ಲಿ ಇದೆ. ಒಂದು ದೃಷ್ಟಿಯಿಂದ ನೋಡುವುದು ಇಲ್ಲ. ಈ ದೃಷ್ಟಿಯಿಂದ ನಾವು ಇದನ್ನು ಯೋಚನೆಮಾಡಬೇಕಾಗಿದೆ. ಮತ್ತು ನಾಳೆ ಕೋರ್ಟ್‌ನಲ್ಲೂ ಸಹ ಅಪಹಾಸ್ಯಕ್ಕೆ ಗುರಿಯಾಗಬೇಕಾಗುತ್ತದೆ. ನಾವು ಕಾನೂನುಗಾರರಾಗಿ ಕುಳಿತುಕೊಂಡು ಯಾವರೀತಿ ಮಾಡುತ್ತೇವೆ ಎನ್ನುವುದನ್ನು ಜಗತ್ತು ನೋಡುತ್ತಾ ಇದೆ. ಇವತ್ತು ಕಾನೂನುಮಾಡಿದರೆ ನಾಳೆದಿವಸ ತಪ್ಪಿದೆ ಎಂದು ಹೇಳಿ ತಿದ್ದುಪಡಿಬರಬಾರದು. ಬಂದರೆ ನಮ್ಮ ಅಲಕ್ಷ್ಯತೆಯನ್ನು ಅದು ತೋರಿಸುತ್ತದೆ. ಈ ರೀತಿ ಆಗುವುದು ಬೇಡ. ಈ ಕಾನೂನು ಬಹಳ ದೋಷ ಪೂರಿತವಾಗಿದೆ ಮತ್ತು ಈಗಿನ ನಮ್ಮ ಕಾಲಕ್ಕೆ ಅನುಸರಿಸಿಹೋಗತಕ್ಕ ರೀತಿಯಲ್ಲಿ ಬರೆದಿದೆ ಎಂದು ಹೇಳಲಾರೆ. ಇನ್ನು ಬಹಳ ಕಾಲ ತೆಗೆದುಕೊಳ್ಳುವುದು ಧರ್ಮವಲ್ಲ. ಇಷ್ಟುಮಾತ್ರ ಹೇಳುತ್ತೇನೆ. ಪ್ರತಿಯೊಂದು ಸೆಕ್ಷನ್‌ನಲ್ಲೂ ಸಹಿತ ಕೂಲಂಕಷವಾಗಿ ಆಲೋಚನೆಮಾಡತಕ್ಕವಿಚಾರ ಇದೆ. ಆದ್ದರಿಂದ ತಾವೆಲ್ಲರೂ ಪ್ರತಿಯೊಂದು ಸೆಕ್ಷನ್ನನ್ನೂ ಯೋಚನೆಮಾಡಿ ಯೋಗ್ಯರೀತಿಗನುಸಾರವಾಗಿ ಮುಂದೆ ಆಗತಕ್ಕ ಅನರ್ಥಗಳು ಆಗದ ರೀತಿಯಲ್ಲಿ ಕ್ಲಾಜ್‌ಗಳನ್ನು ಅಥವಾ ಪ್ರಾವಿಸೋಗಳನ್ನು ಹಾಕಿಕೊಂಡು ಆ ಮೂಲಕ ದೇಶಕ್ಕೆ ಕಲ್ಯಾಣವಾಗತಕ್ಕ ಕಾನೂನುಮಾಡಿದರೆ ತಮಗೆ ಕೀರ್ತಿಬರುತ್ತದೆ ಎಂದು ಹೇಳಿ ನನ್ನ ಮಾತನ್ನು ಮುಗಿಸುತ್ತೇನೆ

Dr. R. NAGAN GOWDA.—Sir, I would like to know how many days you propose to devote for this general discussion and whether you are going to put any time limit, because it so happened that in another Bill on the last day you put a time limit for members. So I would like to suggest that since this is a very important Bill not only for the Opposition members but also for all members, from now on a time limit be placed and the number of days for general discussion also may be fixed.

Mr. DEPUTY SPEAKER.—There is no time limit fixed so far as the present Bill is concerned. We shall continue the discussion today. Tomorrow we shall decide the question of putting a

time limit. Let us proceed with the discussion of the Bill for the present.

Sri J. B. MALLARADHYA (Nanjangud).—Sir, I want to make a few preliminary observations in connection with the Mysore Co-operative Societies Bill, 1958, before us. I heard with great interest the short speech by the Hon'ble Minister for Co-operation while introducing this Bill. I have gone through this Bill in detail and I have also scrutinised the Statement of Objects and Reasons of the Bill. There is no dispute about the need for simplifying, rationalising and modernising and perhaps trying to secure uniformity in regard to the co-operative legislation in the new State of Mysore. I am fully aware that manifold changes are likely to come up in the co-operative structure and that the movement is on the threshold of large-scale expansion. I am also fully aware that, as stated in the Statement of Objects and Reasons, economic development along democratic lines offers a very vast field for the application of co-operative principles infinitely and in varying forms, but I am asking whether the legislative measure brought before this House is a progressive measure having regard to the various stages of development that the co-operative movement has passed through in the State of Mysore. Another question which I would ask myself and the House to consider is this. Does this piece of legislation reflect sound public opinion at the present moment? Does it indicate the objectives and aspirations of a social and economic policy at the present moment? Still another question which I would ask is this. Has this Bill taken note of the phenomenal progress that the movement has made not only in the old Mysore State but also in the integrated areas, over a period of 54 years? The final question which I would like to ask is, what is the ultimate objective in placing this measure before this House? Is it conducive to the establishment of what so many national leaders have called, a co-operative commonwealth? How far does this measure satisfy the aspirations of these national leaders and how far has their objective been kept in view? In the Statement of Objects and Reasons a passing reference is made to the new concept of State participation and State partnership in the management of co-operative concerns. It is true that this is a very special and new concept and for that purpose you have made certain provisions in this Bill. But does this Bill enthuse the people for whom it is intended? Have you simplified the procedure and practice through this Bill? These are some of the questions which I would ask the Hon'ble Minister. It would have been very much better if he had clarified them at the beginning itself, but I do hope that at some stage of the discussion he will clarify these.

In the Statement of Objects and Reasons there is a reference to the Committee on Co-operative Law which was appointed by the Government of India. There is also a reference to the All India Rural Credit Survey which was made in the year 1955. The Reserve Bank of India set up this Committee as far back as 1951. There are three parts of the report of this Committee. One is the General Report, the other is the Technical Report and the third is the Survey Report. I would like to know what are the objectives of Government in trying to copy *Makki ka Makki* the Model Bill suggested by this Committee on Co-operative Laws set up by the Government of India. It would be of very great interest to learn that on that Committee which was set up by the Government of India there was not a single non-official member having experience of co-operative theory or practice. I wish to make no further comments on this because this concerns another Government, but I would like to observe that on that Committee there does not seem to have been any person who had actual experience in the working of co-operative societies. I shall later refer to a few clauses of the Bill which show rather an amateurishness in the drafting of this Bill. In the file before us there are certain provisions which do not find a place in the Model Bye-laws suggested by the Committee on Co-operative Law. The whole drafting of the Bill appears to be based on a type of

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fear complex, suspicion and disbelief of non-official agency to manage its own affairs at every stage, without the superior wisdom of the official hierarchy. That is why I made these observations earlier. This All India Rural Credit Survey Committee was presided over by no less a person than Sri Gorwala, whose report on the administration of the Government of Mysore we are going to discuss shortly.

Before I take up the detailed consideration of the Bill, I would like to invite the attention of the Hon'ble Minister to the recent Conference held at Mysore. Unfortunately, I did not have the privilege of attending that Conference for some reason or the other. On a detailed consideration of the deliberations of that Conference, it will be found, as I said earlier, that this Bill does not reflect popular opinion or the opinion of people who are in the co-operative field. I would like to invite the attention of the Hon'ble Minister and of the House to a statement made by no less a person than Pandit Nehru as far back as 13th April 1958 at the Third Provincial Co-operative Congress held at Delhi. This was later implemented and strengthened by a Resolution of the A.I.C.C. as recently as 25th October 1958. The impression created by that conference is that the co-operative movement requires to be de-officialised without further delay. I am asking a question whether the Bill before the House has tried to do that. It was suggested in that conference that the movement should be manned managed and administered with a very minimum amount of Government interference or control. Does this Bill satisfy that requirement? It should not be forgotten that this is one of the democratic movements of the people, by the people and for the benefit of the people. It is very significant that this Bill seems to have forgotten the social philosophy and the social purpose contemplated in giving effect to a scheme of economic development through the medium of non-official enterprise. I am rather surprised that a Bill like this is brought by a Ministry consisting of people who laboured hard for freedom, for democratic traditions, and all that. Since this Bill is placed before the House by the present Ministry I do not know whether the present Ministry also has subscribed to the view of the Nijalingappa Cabinet to this Bill. Why I am saying this is that if you go through the details of the Bill, one is left with that impression. The co-operative movement started in India as far back as 1904. At that time the position of the Registrar was considered to be that of a "Dry Nurse". He was to be the friend, philosopher and guide of the movement and he interfered with the movement as little as possible. He would only help the people with his views. This was the position that was established 54 years ago. With this background the movement has spread not only on the credit side, but also in other fields of activity. What we find today in this Bill is that Government is very predominantly trying to make the Registrar—I do not want to call him a dictator—the supreme commander of the movement. May I ask, is this a democratic measure, is this a progressive measure?

4-30 P.M.

If anything, I may here characterise this as a most retrograde measure ever intended to be placed on the Statute Book of Mysore State.

As far back as 1914, if I remember correctly, there was a formulation of Government policy by the Government of India itself towards the co-operative movement. They said that departmental control becomes too mechanical and listless and takes away ideas of self-reliance, self-restraint and the spirit of self-control. I am afraid that the present Bill is trying to perpetuate that kind of tradition. With these few remarks as the background, I should like to go now to some of the details of the Bill to strengthen or to substantiate the views that I have expressed by way of general observations.

I wished very much also that there a clear statement was made on behalf of the Treasury Benches as to what extent the original Act was amended or

what particular section of the existing Co-operative Societies Act has been amended. It would have considerably helped us. It would have thrown a good deal of light as to what particular section had been changed. That not being done, I shall go through some of the sections as quickly as possible.

Sir, on page 3, Section 2, I do not know whether the word 'Co-operative society' refers only to a credit society or any other kind of society under Definitions. I presume that it includes all kinds of co-operative institutions. I am open to correction. But whether the word 'co-operative society' refers to banks or any other kind of society which may not be under the regulation—I do not know. I think the definition of the word 'co-operative society' requires to be amplified. If various other types of societies contemplated under the Act are also to be really included under 'co-operative societies' this word 'co-operative society' has got to be defined more precisely, whether it refers to banks, land mortgage banks, agricultural marketing societies, industrial co-operatives or whether it refers to only a special type of co-operative society.

Under 2 (k), I do not know why the co-operative movement should be referred to a Revenue Tribunal. With the expansion of the co-operative movement, I think the time has come when we should constitute a separate tribunal for co-operation. Quite a large number of cases in which adjudication has been sought for has been pending for a number of years. It would be better if Government seriously consider the question of setting up a separate tribunal for Co-operation.

Coming to section 3 sub-section 4, "Notwithstanding anything contained in this Act, matters relating to the finance and audit of accounts of every co-operative society shall be subject to the supervision and control of the Registrar of Co-operative Societies for the State". What is the type of *financial control* that the Registrar is expected to exercise is not very clear. I do not understand to what extent the Registrar is vested with financial control. It makes it very difficult for any society to function if the Registrar steps in to control its finances. If a loan has been sanctioned, can he prevent that loan being disbursed ? I can understand under the bye-laws if a limitation is prescribed. Supposing the Registrar wants to stop for some reason or the other a loan sanctioned by a society being disbursed, is it financial control ? Why do you want to invest the Registrar with financial control ? Is it done in any country in the world in the co-operative field ?

Section 5 relates to the registration of a co-operative society. "A co-operative society may be registered with or without limited liability". I think the very principle of co-operation is that it is restricted to limited liability. Why should it be "without limited liability",—it is difficult for me to understand. It offends against the accepted principles of co-operative movement. Do you wish to bring in "Co-operative cartels" as in joint stock concerns relating to big industries ?

Coming to section 6, sub-section (*d*) "where the objects of the co-operative society include the creation of funds to be lent to its members and where all the applicants are individuals, the applicants shall reside in the same village or town or in the same group of villages or belong to the same class or pursue the same occupation"—This is indeed a very tall order. You prevent in a very small village people of different categories combining together to run a co-operative society. Why do you restrict the scope of co-operation to the people residing in a particular village ? Why this emphasis on class, occupation, profession ? Freedom of association should be of the very essence of co-operation in a rural area, for improving the economic well-being of the ryots. This runs counter to the very spirit of co-operation. This particular section has not been looked into. I should like the Hon'ble Minister to clarify the objection that I have raised.

Coming to section 7, sub-section (2) "Where the Registrar refuses to register a co operative society, he shall communicate the order of refusal

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together with the reasons therefor...", Does this section contemplate cases where no order of refusal or no order of the Registration is communicated? To that extent this law is very defective. Suppose in his infinite pleasure, the Registrar takes his own time to communicate the order of refusal, should there not be any time limit? Is it not very necessary that the Statute should make a provision for it? Are you going to leave this to the whims and fancies of a Registrar? Why is there this kind of a defect in this section?

Coming next to section 11, sub-section (4) (*a*)—amendment of bye-laws—It is said that an amendment of the bye-laws shall not be registered or take effect until "the assent thereto of all members and creditors has been obtained", I do not know whether the bye-laws will provide as to the manner in which the assent of the creditors is going to be taken. You convene a general or special meeting of the General Body when the character of the liability of the institution is going to be changed. How are you going to get the assent of the individual creditors? Suppose a creditor refuses to give his assent. Suppose the whole General Body wishes to change the liability and a creditor or a group of people refuse to agree, are you going to prevent that change being effected in the character of liability? What is the idea of making one or a set of creditors more important as against the Members of the General Body of the society, which is a registered body?

Section 12—this is a very drastic and a most undemocratic measure which is ever contemplated.

> (1) "If it appears to the Registrar that an amendment of the bye-laws of a co-operative society is necessary or desirable in the interest of such society, he may, in the manner prescribed in this behalf, call upon the society to make the amendment within such time as he may specify.
>
> "(2) If the co-operative society fails to make the amendment within the time specified by the Registrar, he may, after giving the co-operative society an opportunity of being heard, register such amendment and forward to the society in the manner prescribed a copy of the amendment together with a certificate signed by him which shall be conclusive evidence that the amendment has been registered......"

Is that fair to a registered body like that? Supposing the Directors out of collusion refuse to convene a General Body meeting of the registered society, why are you penalising a corporate body due to the failure of a few people? And why force a set of amendments on an unwilling body of persons?

Coming next to section 18 in regard to disqualification of membership, sub-section (O) "has been sentenced for any offence", is it a criminal offence that is contemplated? You say other than an offence of political character or an offence not involving moral turpitude, and a period of five-years has not elapsed—I am asking—Is it a criminal offence? For that matter there are petty offences. Even if it is a question of moral turpitude, I do not think that the man should be penalised unless it is a grave offence.

In sub-section 3 of section 18, you have stated "no individual being a member of a primary co-operative credit society shall be eligible for admission as a member of any other such society......" Where is a 'Primary Co-operative Society' defined? If not, why not? I do not think this is a correct definition. There are very many defects of that kind where the definition itself is not made very clear in respect of a number of expressions introduced in the Bill.

Section 19 deals with nominal or associate members. What are these nominal members? "A co-operative society may admit any individual as a nominal or associate member". I know that the rights of a nominal member has been specified in the subsequent sections. But what is this nominal membership? ನಾಮಕಾವಸ್ತೆ ಮೆಂಬರೋ? ಅವರ ಹಕ್ಕುಬಾಧ್ಯತೆಗಳು ಏನು? ನಾಮಿನಲ್ ಎಂದರೆ ಅದರ ಅರ್ಥವೇನು?

Anyhow I am not quite willing to accept the position in which nominal members would acquire privileges of regular members even if a clarification is made. I am only telling you how the Bill is drafted without going to the details. Then sub-section (4) says :

"Save as provided in this section, a nominal or associate member shall have such privileges and rights of a member and be subject to such liabilities of a member, as may be specified in the bye-laws of the society."

What is the distinction between a nominal and associate member and a regular member? This sub-section (4) makes it ridiculous. Does it not conflict with sub-section above? Then comes the manner of exercising the vote. Section 22 says:

"Every member of a co-operative society shall exercise his vote in person and no member shall be permitted to vote by proxy."

I do not know why this was introduced. Voting by proxy is in vogue in many institutions. Why is it objected to only in respect of co-operative societies is not very clear. But that is not a very serious objection I hold. I only want to know why the proxy system of voting is objected to.

Sri J. H. SHAMSUDDIN (Deputy Minister for Finance).—To keep active interest sustained.

Sri J. B. MALLARADHYA.—He may be disabled from attending a particular meeting on the day fixed. It is not a question of lack of interest; for very valid reasons, he may be prevented from attending the meeting. In that case why should he be prevented from exercising his vote by proxy? I can understand lack of interest but not this unwarranted deprivation of privileges of a member. Then Section 23 says:

"In any co-operative society, no member other than the State Government or any other co-operative society, shall—

(a) hold more than such portion of the total share capital of the society not exceeding one-fifth thereof, as may be prescribed."

What is the object of restricting? Is it that he is going to be the shareholder of the entire society?

A MEMBER.—Might be.

Sri J. B. MALLARADHYA.—There may be societies where they do not want to take Government assistance. They do not want Government loan at all. According to the Act, ten people can form a co-operative society. If ten people subscribe the share capital, and supposing such a society chooses not to take in money from the Government at all. If you will kindly see the proviso, it is stated there:

"Provided that the State Government, may by notification in the Official Gazette, specify in respect of any class of co-operative societies a higher maximum than one-fifth of the share capital or higher amount than five thousand rupees, as the case may be."

The reason why I took objection is that in the very same section, a proviso is made. That is the conflict which I just wanted to bring to your notice. Then take Section 25. You see there:

"On the death of a member of a co-operative society, the society shall transfer the share or interest of the deceased member to the person or persons nominated in accordance with the rules, or, if no person has been so nominated, to such person as may appear to the committee to be the heir or legal representative of the deceased member:"

Now you are trying to offend against the statutory obligation. If a man is dead, somebody claims interest but he has got to provide a succession certificate under the law. On the other hand, you want to leave it to the whims and fancies of a committee. Supposing a dispute arises. Should you not insist on the production of a succession certificate? In the case of a dispute, the committee cannot be given enormous powers to give the share to anybody it likes according to

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its sweet will and pleasure. It should not conflict with the substantive law. Can you by a provision in this Bill dispense with the production of a succession certificate? Supposing it is disputed. You don't mention that even in this section.

Sri MALI MARIAPPA.—May I just give a concrete case? Supposing there is a shareholder and he dies and his share amount is Rs. 20 or Rs. 50. Don't you agree with me that under such circumstances, it is better that the Managing Committee has some discretion?

Sri J. B. MALLARADHYA.—Administrative convenience is one thing. Legal obligation and statutory obligation is another. Whether it is Rs. 5 or Rs. 100 legal requirements have to be fully satisfied. In saying this, I may tell the Hon'ble House and the Hon'ble Minister that I have administered co-operative societies' laws for 3 to 4 years and so I may be presumed to know the practice that was prevailing in the old Mysore State. What I am inclined to observe is, you cannot dispense with legal obligation in framing a new law. I certainly agree with you when the amount involved is too small and it is too complicated a process for a poor man. It is all very well. But in the case of a dispute, you cannot help it. You have no alternative in the matter. Please take section 28 (2). It says:

> "If default is made in calling a general meeting in accordance with the provisions of sub-section (1), the Registrar may, by order, declare any officer or member of the committee whose duty it was to call such meeting and who without reasonable excuse failed to call such meeting, disqualified for being elected as and for being an officer or a member of the committee for such period not exceeding three years."

How is this ever possible? It is not one man who is responsible for not calling any general meeting according to the provisions of the Act; why do you enforce individual responsibility? If you say that the management as a whole has failed to convene a general meeting according to the Statute or Law, the whole lot of them can be penalised. Why do you locate individual responsibility? There may not be any understanding between the Secretary and the President or between the President and the Committee or the Committee as a whole. In cases of that kind, how can the Registrar penalise one individual and prevent him from being elected as a Member of a Committee? This is too drastic a provision. As it stands, a very radical change is called for. For any fault of the Committee as a whole, any one individual should not be penalised. It is a contributory negligence of a lot of people and you cannot single out one man and punish him. The Secretary is one man. You cannot say: "The Secretary has failed to convene a general meeting and I sack him" He has got to take the orders from the Chairman. The Chairman has got to consult his colleagues. This kind of singling out a particular individual for punishment or for penalisation, I think, is not fair. I think it is not in the best of co-operative spirit.

Then come to section 30,—Nominees of the Government on the Committee of a Co-operative Society. I believe my friend Sri Kenchappa who does not favour nomination admitted to a limited extent the principle of nomination. This is what Section 30 says:

> "Where the State Government—
>
> (*a*) has subscribed to the share capital of a co-operative society, or
>
> (*b*) has assisted indirectly in the formation or augmentation of the share capital of a co-operative society as provided in Chapter VI..."

I can understand a case where the Government has actually participated in the actual participation of capital investment that the State Government or any authority specified by the State Government in this behalf, shall have the right to nominate not more than three members. You referred to this

in your preliminary speech. I should like to ask through you the Government as to what you would do with a joint stock concern where the Government has participated in capital investment. Even in concerns where the capital of a concern is of the order of a crore or a crore and a half of rupees and where you have advanced money or guaranteed loans, you just send one or two directors. But in the case of co-operative societies you want three people. On what basis is the number fixed ? You say not more than one-third even in the case of joint stock concerns; you are not so vigorous there ; but in the case of co-operative society or a co-operative concern you want to have three of your men. I think this kind of abundant caution is out of all proportion to the needs of the situation. You should not burden the entire co-operative societies with the dominating official element. Then in sub-clause (2) it is stated:

> "A member nominated on the committee of co-operative society under sub-section (1), shall hold office during the pleasure of the State Government or the specified authority, as the case may be."

In regard to these nominated members, you have not clarified in the Bill as to whether these nominated members have a right to vote; secondly whether they can stand for election as office-bearers and thirdly whether they can represent a particular co-operative institution in any manner. Supposing it is a case of a delegation or a deputation on behalf of a co-operative society to some conference or some deputation outside the State. Do you want even to divest that privilege of an ordinary member of the co-operative society to represent his institution and give preference to Government nominess. You do not say anything as to what exactly are the privileges or limitations so far as these nominated members are concerned. That is very necessary, because if it is an influential director nominated by the Government, he may actually dominate the situation. It may be rather difficult for these committee members and these directors to compete with him. You must actually define the relationship of these nominated members so far as these matters are concerned.

Then, Sir, clause 31-Disqualification of Members of Committee—

> "(*a*): if he is a paid employee of any co-operative society..."

I can understand that if I am a paid employee of a society, I must be prevented from contesting the election. Supposing I am a paid employee of more than one society, X, Y and Z. If I am a paid employee of X society, why should you prevent me from standing for election in respect of other societies, Y and Z ? I have money enough to be a member in more than one society. You can prevent me from being a member of the Committe of that particular society. I cannot understand the restriction. I would like you to change that word 'ANY' in sub-clause (a) of this clause.

I think (*b*) requires to be deleted. It says :

> "(*b*): If he is a relative of a paid employee of the co-operative society concerned"

I really fail to understand, what is the point about it. Is it that he will be in collusion with that Member? Supposing a paid employee has brothers and sisters or other relatives, who are divided in status and even live separately in independent households. Why should you prevent them from being on the Committee? If they are there, at least, they will know what is happening. And who is to determine whether a man is related to a particular individual who is a shareholder? These are complicated matters. It is much better that you delete it.

Then sub-clause (*c*) says :

> "(*c*) : If he or his relative is carrying on the same business as that of the co-operative society concerned."

What is the idea? If he is a business man dealing for example in cloth, you do not want that man from becoming a Member of the Committee. Not only that, if a man is doing business in cloth even his relations are prevented !

AN HON'BLE MEMBER.—Not a member of the society, but a member of the Committe.

Sri J. B. MALLARADHYA.—I understand it. It is the man who is in business who knows how to manage business. If the society is doing cloth business, you must welcome his experience in managing the society instead of shutting him out. You want only amateurs to make a mess of it. Why should this restriction be imposed ? I am therefore in favour of deleting that sub-clause.

Then, sub-clause (2) (*b*) :

> "(b) has neglected or is neglecting his duties as a result of which the co-operative society has suffered or is suffering or is likely to suffer loss."

There may be some of these words in the old Act and simply *makki-ka-makki* you have copied these words. Who is to decide? Supposing there is a dispute, what are you going to do? I think it is very loosely worded and it gives scope for a man who adjudicates, a lot of latitude. He can penalise anybody whom he does not like. Not that everybody will do it. But it gives a handle for possible misuse of power.

> "...or is likely to suffer a loss"

I think these words require to be deleted.

Then Item (*c*) says :

> "(*c*) has misappropriated or is believed to have misappropriated the funds of the co-operative society;"

At what stage, I want to know.

Sri G. VENKATAI GOWDA (Palaiyam).—When it is known.

Sri J. B. MALLARADHYA.—Then item (*d*) says :

> "(*d*) has been responsible directly or indirectly for the mismanagement of the affairs of the co-operative society;"

"Directly', I can understand. How are you going to impute indirect responsibility for mismanagement ? I can only say that this legislation will stifle and stultify the spirit of co-operation.

Then again you find in item (*e*) :

> " (*e*) has unnecessarily retained the funds of the co-operative society."

What is the duration for which he could retain the funds with him? It is very necessary that you should specify the period. The Secretary can keep the funds of the society for a limited period. Then you should prescribe the limit of the amount. That must be provided in the Bye-laws. What amount he can keep and up to what time he can keep must be fixed. You cannot provide these things without specifying the actual period.

Then item (*g*) says:

> "(*g*) : has appeared or is appearing as a legal practitioner against the co-operative society concerned or any other co-operative society which is a member of the co-operative society."

I think my learned friends on the floor of the House will take it up more effectively than me. It is rather funny any way. I can understand 'is appearing'. But you say: '...or any other co-operative society which is a member of the co-operative society concerned. At that rate you shut out my friends like Sri Veerappa. That concerns them and I think they will take it up.

Then item (*h*) says:

> "(*h*) has been or is acting against the interests of the co-operative society concerned or against the co-operative movement in general"

How difficult it is for a man to defend himself even? You do not even give him a chance to defend himself. You want to take a man to task on a mere suggestion that he is indirectly acting against the co-operative movement. It is an endless source of nuisance. The man will be mortally afraid. In my opinion, the Act should not make it difficult for the co-operative spirit to expand, and honest, public spirited social workers should not be prevented fromt serving in these Societies in an honorary capacity.

Then proviso to sub-clause (3) :

> "Provided that during the pendency of the matter before him, the

Registrar may suspend the member from Office."

This is another important matter. I can understand a member being suspended if his guilt is proved. I can understand if at least there is a *prima facie* case. But even without making an enquiry, you want to suspend a member from office. Natural justice requires that this provision should be deleted.

Clause 32–about the supersession of the Committee. Well Sir, sub-clause (1) says:

"32. (1) If, in the opinion of the Registrar, the committee of any co-operative society persistently makes default or is negligent in the performance of the duties imposed on it, by this Act or the rules or the bye-laws, or commits any act which is prejudicial to the interests of the society or its members, or is otherwise not functioning properly, the Registrar may, after giving the committee an opportunity to state its objections, if any, by order in writing, remove the committee; and..."

If there are any recalcitrant elements, he must do it.

"(*a*) appoint a new committee consisting of one or more members of the society in its place;"

or take away the entire committee and invest it in one individual—call him administrator—who need not be a member of the society! I am asking why the Registrar should not hold fresh elections? With the minimum time hold an election and constitute another committee. It is not as if there is bankruptcy of talent. There will be many people who will be willing to act as members of the committee and as directors. Why should you deny scope for them? Instead of that, you want to invest the Registrar with enormous powers to appoint any individual as administrator. I can understand his appointing a committee. But I cannot understand the appointment of one individual who may not even be a member of the society. This is opposed to the democratic principle. I would therefore suggest that in the case of dismissal of a committee, the Registrar must take steps to constitute another committee according to the bye-laws of the society.

"(*b*) appoint one or more Administrators who need not be members of the society."

This is another matter which offends against the principle of co-operation.

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I can understand one or more administrators from the same society or if you say that it should be a Government Administrator, even then he is an outsider—but we have got to submit to the necessary evil, if it is a Government officer, if the Registrar appoints a Government Administrator. But by no means should a person who is not a member of the society be appointed as Administrator.

In the same clause, we find another drastic provision.

"........... to manage the affairs of the soceity for a period not exceeding two years specified in the order which period may, at the discretion of the Registrar, be extended from time to time, so however, that the aggregate period does not exceed four years."

Supposing there is alleged management in a society; you can actually kill co-operation for a period of four years. This is a matter in which the Registrar can as well go to sleep in respect of such a society. What all he has to do is to appoint an Administrator and on his application go on extending the time for a maximum period of four years. If that should be allowed, co-operation will have no chance of survival or recvoery in this State.

Now coming to sub-section (4) of Section 32:

"(4) Before taking any action under sub-section (1) in respect of a co-operative society, the Registrar shall consult any financing institution to which it is indebted."

What is the object of this provision? f a disciplinary measure is to be taken

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or if it is sought to remove a committee which has made itself responsible for a lot of mischief, then it must be removed. Where then is the point in consulting a financial institution ? That would only delay matters. In some other section there is such a provision. If the affairs of a society are bad and if it warrants interference by the Registrar, then the particular financial institution could make an application to the Registrar, on which he could take action. Now before the Registrar taking action, this caluse insists that he should consult the financial institutions to whichthe society is indebted. Supposing the Registrar writes a letter and within a reasonable time no reply is received. What has the Registrar to do ? Under sub-section (4) he has to sit with folded hands. I hope Government would appreciate how impracticable this position is. For removal of a committee which is unworthy of being continued why should he consult anybody? He is the man who is in-charge and the statute empowers him to interfere in cases of gross neglect and mismangement. Why should he consult anybody and why should his Lands be tied and why should his action be dependent upon consulting other financial institutions ?

In regard to securing possession of records contemplated under Clause 33, in some other clauses we find that the Registrar is invested with powers of inspection and getting of records, books, etc. In this Section, however, the Registrar is required to refer the matter to a Magistrate. I personally feel that this Section conflicts with other sections, which give the Registrar powers to secure records, etc. There is another section by which the Registrar can get access to the records and complete the possession of the other belongings of the society. But here to get possession of the records the help of a Magistrate is needed. I do not know how a Registrar would like it. If I were a Registrar, I would say that this Section lowers my prestige. When enormous powers have been given to the Registrar under the Bill, why should he invoke the protection of the Magistrate ? Compare this with clause 67.

An Hon'ble Member.—Supposing they do not hand them over ?

Sri J. B. Mallaradhya.—The power to seize books, etc., is already there. This clause does not say that the Registrar shall approach a Magistrate on his failure to secure the records.

Sri Mali Mariappa.—This provision is not intended to cover normal working. It only clarifies clause 32. Clause 32 refers to certain societies which are not working in the normal sense. If in such circumstances, when the officers of a society or the management refuse to hand over the books of accounts, etc., there must be some powers to get possession of them and therefore this is the provision to be used only in a particular contingency.

Sri J. B Mallaradhya.—Under the statute, the Registrar is possessed of sufficient powers to have access to records and books. Section 67 says:

> " If any officer or person conducting audit under section 64, inquiry under section 65 or inspection under section 66, has reason to believe that any books or the other property of the society have been tampered with or are likely to be tampered with, if left with the society with a view to eliminate............he shall have power to seize and impound such books or property in the manner and for such period as may be prescribed."

Therefore in such extreme cases, the Registrar has powers to seize the records.

Sri C. S. Hulkoti (Mundargi).—Such cases have actually occurred, where the Board refused to hand over records and property. In such cases, a Magistrate's permission seems to be necessary.

Sri M. C. Narasimhan (Kolar Gold Fields).—This section provides a direct remedy in case of replacement of a managing committee. Whereas under Section 67, there is no such power. Hence concurence of the Magistrate is considered necessary. It will take some time......

SRI J. B. MALLARADHYA.—No. Because 'inquiry' made under Sections 64 and 65 are also covered by Section 67.

Coming to Section 35, sub-section (2) (ii) states:

"(ii) the co-operative society in whose favour a charge is created under sub-section (1) shall communicate the particulars of the charge, and when loan is discharged, the cessation of the charge to the Deputy Commissioner and he shall cause necessary entries to be made in the record of rights."

I think this presents a confusing picture so far as the relationship between this Bill and the provisions of the Land Records of Rights Act goes. I would like the Secretariat, particularly the Law Secretariat, to see this point.

I personally feel there is an apparent conflict.

Now going to Section 36:

"Notwithstanding anything contained in any law for the time being in force, a member of a co-operative society may execute an agreement in favour of the society providing that his employer shall be competent to deduct from the salary or wages payable to him by the employer, such amount as may be specified in the agreement......"

I would like to know if the question of prior commitment of that particular officer is taken into consideration. Supposing he gives an agreement and that agreement is ineffectual and if more than 50 per cent of his salary is attached, what is the position? What is the use if the salary is not attached to a prior debt or loan?

Now turning to Section 38—

"Subject to the provisions of section 37 the share or interest of a member in the capital of a co-operative soceity shall not be liable to attachment or sale under any decree or order of a court in respect of any debt or liability incurred by such member or past member, and an official assignee or a receiver under any law relating to insolvency shall not be entitled to, or have any claim on, such share or interest".

Is this position correct? The share of a member is not liable for attachment in pursuance of a decree of the Court. Is that money not included in his capital or is it not his money which should be liable for attachment? Under what provision of the law is his share amount exempt from attachment? This law shonld not conflict with any other substantive law. It seems to me that it would be very difficult to enforce this provision of the Bill, if a case should arise.

I would next invite the attention of the House to Section 41. The Hon'ble Minister has referred to this clause in great detail.

"It shall be the duty of the State Government to encourage and promote the co-operative movement in the State and to take such steps in this direction as may be necessary".

42 (1) "The State Government may subscribe directly to the share capital of a co-operative society with limited liability."

Does this mean that the Government can force itself on the societies? It is not as if Government can in all cases force State participation in the societies. Should this not be done on the request of the societies concerned or with their concurrence?

There is no provision like that here. It looks as if you want to make it compulsory on all societies that if the gevernment is willing to provide money to the share capital they must agree. Possibly, under the bye-laws of the society, membership has got to be approved by the committee; why should the Government claims exemption? If it is so, nothing has been stated as to the circumstances that make it necessary to secure such exemption.

Take section 46. It says:

"No shares shall be purchased in a co-operative society from the moneys in the 'Principal State Partnership Fund' or the 'Subsidiary State Partnership Fund,'

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except with the previous approval in writing of the State Government."

What is the object intended to be achieved by this provision? They are not trying to utilise it for any transaction. Supposing it is a remunerative investment. If the Directors do not have that amount of discretion to allow capital investment of a remunerative character, and at every stage the Government takes away the right to give approval or refusal, what are they to do? You do not even say that if the Government do not give a reply within a stipulated period, the Directors can take appropriate action. This kind of provision will hold up the work of a co-operative society. This kind of financial control is alien to the co-operative movement and at any rate absolutely outmoded and retrograde.

Section 49:

"If a co-operative society in which shares are purchased from the 'Principal State Partnership Fund', is wound up or dissolved the State Government shall not have any claim against the apex society which purchased the shares, in respect of any loss arising from such purchase;"

Supposing it is found after you gave a definite approval to invest, a society is wound up. You still say that you cannot make them liable for loss. At this rate, thousands of rupees could be lost and that is not likely to have a salutary effect on the administration of societies.

Section 51 (2).—Most of these things are defined no doubt but what exactly it means by 'central society' I am not able to know. It is better that you define.

I would like to invite attention to section 55.

"In any case in which State aid is given to a co-operative society amounting to two lakhs of rupees or upwards the State Government shall, and in any other case may, by order published in the official Gazette, take power to ensure such control over the conduct of the business of the society as shall suffice in its opinion to safeguard its interests."

Supposing you advance Rs. 2 lakhs or more to a particular society. You can do anything with it; you can put all sorts of restrictions on the Directors. Is that fair? Should not the society concerned, exercise some discretion? I do not say it is very wrong. It is so doubtful. So, let us know what is the kind of control you wish to have.

Section 57.

"No part of the funds other than the net profits of a co-operative society shall be paid by way of bonus or dividend or otherwise distributed among its members."

What about the Dividend Equalisation Fund? You say 'no part of the funds'. In some societies there is a fund called Dividend Equalisation Fund. In a particular year profits are very low or if the Directors want to give a higher dividend and if the profits of that year are not sufficient, they draw it from that fund. But that fund is not contemplated under section 57. So it must be stated that "except Dividend Equalisation Fund."

Section 58 (3) (*a*):

"payment of dividend to members on their paid-up share capital at a rate not exceeding the prescribed limit."

I take it that you will make suitable provision in the Byelaws. But, it is better that provision is made in the substantive law itself because various bye-laws of various societies do not incorporate all the provisions.

"(*d*) donations of amounts not exceeding ten per cent of the net profits for any charitable purpose as defined in section 2 of Charitable Endowments Act, 1890."

I am sorry I have not been able to catch the point. Is it after deducting profit in the shape of dividends?

SRI MALI MARIAPPA.—Entire net profits.

Sri J. B. MALLARADHYA.—Not after providing for dividend to members ?

Sri MALI MARIAPPA.—No, no.

Sri J. B. MALLARADHYA.—There have been cases where ten per cent has been interpreted to mean ten per cent net profits and in some other cases ten per cent after allowing dividend to shareholders, because the interest of the shareholders must receive paramount consideration. A man who invests say Rs. 100 must be sure of getting 6¼ per cent at the end of the year. Therefore, you should guarantee a reasonable return on the share. When it is stated 'ten per cent of the net profits', it must be defined whether it is after deducting the payment of dividend to the shareholders.

Section 59 (c):

> "in the shares or securities of any other co-operative society;"

I think an upper limit should be fixed in regard to this matter, because if a prosperous society advances money to another society which is functioning very badly, there is no bar and it need not require approval of the Registrar at all. Do you not think that some kind of restriction should be imposed on the investment in the interest of safety of a prosperous society ? It may be that they are going to the succour or help of the other society, but I think there must be some kind of a restriction imposed on this society investing money in other societies.

So far as audit is concerned (sec. 64), my friend Sri Kenchappa has talked at great length. But how is it that you do not prescribe the qualifications of an auditor ?

> "The Registrar shall audit or cause to be audited by a person authorised by him ....."

Supposing it is a person who is not a certified auditor. He may say that he is a very competent man. Any number of people who are quacks can claim to be competent.

Sri MALI MARIAPPA.—Most of your suggestions can be provided for under rules.

Sri J. B. MALLARADHYA.—You have made a very general statement. I know rules will be made, but if the rules to be made do not fit in with the Act itself and if they conflict with the provisions of the Act, I do not think such rules can be made. You do not make a provision in the Act about the qualifications of an auditor; you do not even say 'qualified auditor'. If it conflicts with the Act, you cannot make any provision in the rules. I do not think you can make a provision in the rules to that effect when the Act itself gives power to the Registrar to appoint any person. The Registrar will say that the Act gives him complete power, if it is the type of a Registrar who wants to be fully fortified by the provisions of the Act.

Will you kindly take section 66. "The Registrar may of his own motion, or on the application of a creditor of a co-operative society, inspect ....." I referred on a previous occasion that he need not have to consult any financing institution for making that order about the appointment of a committee in the case of gross mismanagement.

Section 66 says:

> "The Registrar may of his own motion, or on the application of a creditor of co-operative society, inspect or direct any person authorised by him... "

Here we will have to include a financing institution as we did in the other case. There we provided for consultation. Here if by a creditor it means an individual or institution, it is all right. If you say 'a financing institution' also, as a measure of abundant caution, it will be all right.

Please see section 70. It relates to 'Surcharge'. The proviso is rather very depressing.

> "Provided that no such inquiry shall be held after the expiry of six years from the date of any act of omission referred to in this sub-section."

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ಇದೇನು ವಿಚಿತ್ರ ಸ್ವಾಮಿ ! ವಿಚಾರಣೆಗೂ ಕೂಡ ಇಂಥ ಕಾಲ ನಿಗದಿಬೇಕೇ ? ತೂಕಡಿಸುತ್ತಿರುವ ಸಹಕಾರ ಸಂಘಗಳಿಗೆ ಇದು ಹಾಸಿಗೆ ಹಾಸಿಕೊಟ್ಟ ಹಾಗಾಗುತ್ತದೆ.

If you read the Section, you will see:

> " ...by an order in writing in this behalf, to inquire into the conduct of such person."

ಆರು ವರ್ಷಗಳು ಕಳೆದಮೇಲೆ ಇಂಥ ಒಂದು ವಿಚಾರಣೆ ನಡೆಯುಲು ಅವಕಾಶವಿಲ್ಲವೆಂದು ಹೇಳಿದರೆ—ಇದರ ಅರ್ಥವೇನು ?

Let alone the inquiry.

> "If in the course of an audit, inquiry, inspection or the winding up of a co-operative society, it is found that any person, who is or was entrusted with the organisation or management of such society, has made any payment contrary to this Act, the rules or the bye-laws......"

You provide in the proviso for an inquiry within a certain period. What is the use of that? Supposing they delay beyond the period; then you are prevented from making an inquiry. Why do you make this kind of a provision?

Coming to 'Settlement of disputes' (sec. 71)...

Sri G. SIVAPPA.—The Hon'ble Member is going in great detail, section by section, instead of speaking on the principles.

Sri J. B. MALLARADHYA.—My friend Sri Shivappa should know that in trying to refer to sections, I am also drawing the attention of the House to the principles involved. Because the Bill is defective in respect of particular sections and they offend against certain principles, I am mentioning all this. Otherwise I would not take so much time.

You kindly see the last three lines in sub-section (1) (a) of section 71:

> "..... or if either of the parties so desires, to arbitration of three arbitrators who shall be the Registrar or his nominee and two persons of whom one shall be nominated by each of the parties concerned."

Why do you want to complicate these matters? (1) (*b*) says:

> "Notwithstanding anything contained in clause (*a*), any dispute regarding the election of any officer or member of a committee of a society may within one month from the date of the declaration of the result of such election, be referred by any candidate at such election or any member of the society to the Registrar for decision by himself or his nominee."

If it is your intention that it should be referred to arbitration, you may say so. But why three people? When once the Registrar can decide or his nominee can decide and if the man is aggrieved, you either make a provision for appeal against the decision of the Registrar under appropriate section, or if the man agrees to arbitration, does it mean that you want to eliminate a decision by the Registrar? I think it is necessary that the last three or four lines in (1) (*a*) commencing with the words "or if either of the parties so desires, to arbitration of three arbitrators......" to the end should be deleted. You are complicating matters. If the matter is under dispute let the Registrar or his nominee decide. Or if the man wants arbitration, it is only through an appeal that a certain thing can be done. Where is the provision for an arbitration under this Act? You say that the Registrar decides or his nominee and after such decision there can be an appeal to Government. Why should it go to arbitration again after a decision?

Sri MALI MARIAPPA.—There are two or three alternatives. The Registrar himself could decide or if he has no time, his nominee could decide or if the party aggrieved comes up in appeal or with a petition states that he chooses the third alternative, namely, one to be chosen by him and the other to be chosen by his opponent and the third to be nominated by the Registrar, that contingency is there. So it is a little elastic.

Sri J. B. MALLARADHYA.—See the proviso:

"Provided that, if the question at issue between a society and a claimant, or between different claimants, is one involving complicated questions of law and fact, the Registrar may, if he thinks fit, suspend proceedings in the matter until the question has been tried by a regular suit instituted by one of the parties or by the society..."

What I object to is the latter portion of this proviso.

"......If no such suit is instituted within six months of the Registrar's order suspending proceedings, the Registrar shall take action in accordance with the provisions of this sub-section."

I am asking, if the Registrar feels that it is a complicated question of law, why should he not refer it to a civil court straightaway? You want six months. He can certainly refer the matter to the civil court, when it is a complicated question of law. It is a question of unnecessary waste of time.

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It is much better that in such cases the Registrar divests himself of this responsibility. Sub-clause (*b*) of clause 71 says:

"Notwithstanding anything contained in clause (*a*), any dispute regarding the election of any officer or member of a committee of a society may within one month from the date of the declaration of the result of such election, be referred by any candidate at such election or any member of the society to the Registrar for decision by himself or his nominee."

I want to know what is the time prescribed for the Registrar to decide the dispute. Is it not necessary to provide in the Act itself that an election dispute should be tried and disposed of, say, within 3 or 6 months? Otherwise, it is likely to adversely affect the interest of the man aggrieved. That should not be the case.

Then, I come to the second proviso in this section which says:

"Provided that no such dispute shall be withdrawn except on any of the following grounds:—

(i) the Registrar's nominee or the arbitrators have failed to decide the dispute within two months or such further period as may be allowed by the Registrar;

(ii) the proceedings before the Registrar's nominee or any of the arbitrators are vitiated in consequence of corruption or misconduct on the part of the Registrar's nominee or any of the arbitrators, as the case may be."

I think it is better that the words "vitiated in consequence of corruption or misconduct on the part of the Registrar's nominee" are taken away. Is it fair to any officer of Government to incorporate such a provision in this section? After all, the nominee of the Registrar enjoys his confidence. I presume that the Registrar has exercised reasonable discretion in selecting his nominee. Is it proved corruption or proved mis-conduct? You do not say that. It is a great injustice to the officers of Government to make such allegations against them.

Section 79 says:

"With the previous sanction of the Trustee, the Board may from time to time issue debentures of one or more denominations for such periods as it may deem expedient, on the security of the mortgages and other assets transferred or deemed under the provisions of section 85 to have been transferred by the Land Mortgage Banks to the State Land Mortgage Bank and other properties of such Bank."

There is no reference to any Government sanction. It is made to appear that Government sanction is not required for the issue of debentures. Even if the Trustee is a Government

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servant or the Finance Secretary to Government, Government's consent must be obtained for the issue of debentures. Supposing a series of debenture bonds are issued by a co-operative society without reference to Government, what will happen? Of course, nobody will be so foolish as to buy such bonds. But there must be a provision in the Act itself requiring a co-operative society to take the previous sanction of Government for the issue of debentures.

Coming to Section 82, it reads as follows:—

> "Where the State Land Mortgage Bank or a Land Mortgage Bank has given a loan to a member for the development of any land in excess of the amount of the loan to which such member would be entitled on the basis of the value of the land as determined in accordance with the principles of valuation approved by the State Government, the State Government may guarantee for a specified period the repayment of the loan to the extent of the excess."

Why do the State Government give that money without sufficient security? Supposing a land is worth Rs. 500 today and a member is given a loan of Rs. 700. What is to become of the security for that loan and what is the future of that concern? In the Act if you make such a provision it is dangerous. Why does the Government take such a terrible responsibility out of the rate-payers' money? I want the Hon'ble Minister to kindly take counsel with legal Pundits in regard to this matter. I am very apprehensive about the future of a co-operative concern to which any loan is given in excess of the security offered. I can quite realise that co-operation is mutual help and that personal security must be emphasised more than immovable security. You cannot give loan in excess of the amount to which a member is entitled and you say that the Government is going to pay the excess amount.

Sri Y. VEERAPPA.—Under the Land Improvement Bill, they are going to encourage people who are economically poor by starting schemes to augment production of food.

Sri J. B. MALLARADHYA.—I am quite willing to uphold that Government may subsidise food production and for that purpose give loans to people without any security. But when it is the question of a financing institution like the Land Mortgage Bank, the Government cannot guarantee the repayment of the loan to the extent of the excess as is sought to be done in this section. How can a man be given a loan to which he is not entitled under the Rules? Either I have misunderstood the section or there is clearly a lacuna in the drafting of the section.

Then, I come to Section 83. It reads:

> "A mortgage executed in favour of a Land Mortgage Bank shall have priority over any claim of the Government arising from a loan under the Land Improvement Loans Act, 1883 (Central Act XIX of 1883) or the Agriculturists Loans Act, 1884 (Central Act XII of 1884) granted after the execution of the mortgage."

What is to happen to the Revenue Department? You shomld not use the word 'prior'. If a man has taken a land improvement loan or taccavi loan before he obtained a loan from the Land Mortgage Bank, it is all right if the taccavi loan is liquidated and the balance of the loan is given to him. Otherwise, by this section one wing of the Government would suffer. Why should the Co-operative Department have priority of claim over the land improvement loan given to the same individual?

Then, Section 88 reads as follows:—

> "If any instalment payable under a mortgage executed in favour of a Land Mortgage Bank or any part of such instalment has remained unpaid for more than one month from the date on which it fell due, the committee may, in addition to any other remedy available to the Bank, apply to

the Registrar for the recovery of such instalment or part thereof by distraint and sale of the produce of the mortgaged land including the standing crops thereon."

I think this is a very drastic step intended to be taken particularly with regard to standing crops. On account of default of just one month you want to take distraint proceedings. If a man is due to pay his instalment of loan on 1st October and if the default is by one month you want to go and distrain standing crops. Unless there is an order or a decree I do not think you can go and attach standing crops and sell.

Sri Y. VEERAPPA.—Distraint has nothing to do with attachment.

Sri J. B. MALLARADHYA.—Sir, everybody thinks he is wise and I am the only person who is not. The point I wish to make is: for the sake of default of just one month do you want to distrain cattle and crops standing on the land of a particular individual ?

An HON'BLE MEMBER.—Supposing there are no crops ?

Sri J. B. MALLARADHYA.—What is the fun of giving a loan to a man from whom there is no chance of recovery excepting from his lands and standing crops thereon ? I think it is very drastic, more drastic than in the case of the land revenue. At least it must be similar to that. I do not think we can agree to this provision.

Then, there is a very funny proviso to this clause: "Provided that no distraint shall be made after the expiry of twelve months from the date on which the instalment fell due." You say you want to attach the crops for failure to pay the amount even within one month and in the same clause there is a proviso that after the expiry of twelve months from the date on which the instalment fell due no distraint should be made. I cannot understand it. There is a lot of confusion and conflict of ideas.

Sri MALI MARIAPPA.—Sometimes it so happens that the payment of the mortgage amount will be distributed over a number of instalments and one instalment falls due; so it is just to make him to be prompt in his payment that there is such a provision. But if there is a person who is very prompt he need not be afraid of that provision. Suppose after twelve months there will be a default of two months ; property security will be there.

Sri J. B. MALLARADHYA.—Why should the provision in case of failure to pay the instalment be so rigorous ? I want the provision so far as the attachment of crops is concerned to be relaxed. Otherwise I do not think it will be very fair to the raiyat who has borrowed the money.

In the Explanation relating to Clause 90 it is stated as follows :

> "A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds the amount for the time being due on the mortgage by such proportion as may be specified in the bye-laws of the Land Mortgage Bank."

Is this adequate, Sir ? "A security is insufficient within the meaning of this section unless the value of the mortgaged property exceeds the amount for the time being..." By how much ? But in Clause 92 it is stated:

> "Where any property is sold in the exercise or purported exercise of a power of sale under Section 89, the title of the purchaser shall not be questioned on the ground that—
>
> (a) the circumstances required for authorising the sale had not arisen, or
>
> (b) due notice of the sale was not given, or
>
> (c) the power of sale was otherwise improperly or irregularly exercised ;"

You are depriving the privilege open to an aggrieved person to seek redress by going to a court of law. How can the title of the purchaser be established merely by an irregular sale that you have conducted ? So there are many provisions in this Bill which are inconsistent. By making the sale *per se* illegal you say in this clause that the purchaser's

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right and title to the property cannot be questioned. You are trying to confer a right which never existed on account of a technical defect which you have perpetrated so far as execution proceedings are concerned.

I now come to Clause 100 relating to the recovery of moneys due to societies. I have stated earlier that you must make it very clear in the definition of the word "Co-operative Society" so as to refer to banking institutions, marketing societies—all contemplated under the Act. Or, is it intentionally made to appear to refer to co-operative societies only? But what about marketing societies or any other kind of society from which money is due?

Sri MALI MARIAPPA.—Please see (e) on page 3.

Sri J. B. MALLARADHYA.—This is a banking institution. But the definition of 'Co-operative Society' in sub-clause (c) of Clause 2 refers only to a society registered under the Act, but the category of institutions coming within the purview of Co-operative Societies is given under various clauses. I think it must come under the definition by stating "Co-operative Society means and includes".

Next I come to Clause 106 "Appeals to other authorities".

> "(1) An appeal shall lie under this section against—
>
> (a) an order of the Registrar made under sub-section (2) refusing to register a co-operative society";

I think in cases where there is a failure to register a society or refusing to register it a certain time limit should be prescribed so far as such an order is concerned because supposing an application for registration is made; some very enterprising clerk puts it by for nearly seven months or one year and there is no order from the Registrar either to register the society or refusing to register it; what is to be done? This is a very difficult case in which you must make a provision for fixing a time limit in regard to failure to register a society within the time prescribed. I think clause (e) here should be deleted because it relates to clause 28. Clause 28 deals with holding of General Meetings where if a General Meeting is not held by the concerned person he is prevented from contesting for election or continuing to be a director. That provision is made in the bye-law and if you accept to delete that provision I think sub-clause (e) of clause 106 must also be deleted.

Section 117 gives the Government the power to exempt societies from conditions of registration. The section reads thus:

> "Notwithstanding anything contained in this Act, the State Government may, by special order published in the official Gazette in each case and subject to such conditions, if any, as it may impose, exempt any co-operative society from any of the requirements of this Act as to registration."

What are the cases that Government contemplate? By another section you have made registration compulsory for all co-operative societies. So what are these extreme cases in which you want to dispense with the necessity of registration under the Act? How can a society function as a co-operative society if it is not registered under the Act? I think there is some mistake here. At least, I have not been able to understand the purpose behind this provision in the Act. You may say that you may exempt any co-operative society from registration, but before you exempt it, it must be a co-operative society and it cannot be a co-operative society before it is registered and it cannot be registered unless it becomes a co-operative society. I think there is some confusion so far as this section is concerned and it is, therefore, necessary that this section is removed.

Under section 128 you have said:

> "Every order made under sections 117 and 118 and every rule made under section 127 shall, as soon as may be, after it is issued be laid before each House of the

State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two or more sessions and if before the expiry of the said period either House of the State Legislature makes any modification in the notification, order or rule or directs that the order or rule shall not have effect and if the modification or direction is agreed to by the other House, the order or rule shall thereafter have effect only in such modified form or be of no effect as the case may be."

I want to know why this provision is made. When the Bill is passed by this House and when it receives the assent of the Governor in a formal manner what is the propriety of bringing it again before the House ?

Sri MALI MARIAPPA.—This provision is only to let the House know about the rules framed under the Act. If rules are made they have to be brought to the notice of the Legislature. It is only to comply with that obligation that this will be brought to the notice of the Legislature. If it is then found that certain rules work hardship to the people, then there is power to the Legislature to modify the rule to remove that hardship.

Sri J. B. MALLARADHYA.—I now see the point. Thank you, Sir, as my time is up, I shall wind up. I have already said that this measure does not appear to be a very comprehensive measure for one thing. We see that the Co-operative Department is expanding enormously and we are having a larger number of officers. You are spending more money on establishment and all along you are tightening Government control over the movement. I personally feel that this Act is calculated to stultify the movement. You are stifling the growth of the movement. It appears as if you want to cater to the despotic tendency of the Government which has framed this measure. Instead of providing facilities to promote the growth of co-operative societies you are trying to take control over co-operative societies. It will be a very bad day for the Movement if in spite of such rigorous Government control contemplated under the Act, institutions go to dogs. You may say that you will see that it does not go to dogs, but we know fully well the way in which Government control is being exercised for over fifty years and with what result. For some reason or the other things have invariably gone wrong. If all the provisions in the Bill are accepted, the responsibility will not be that of the managements, but of the Government. It is much better that with the best of intentions you allow the co-operative movement to develop as a purely democratic movement, as an essentially non-official enterprise. I am fully in agreement with you when you say that when Government have invested lakhs and crores of rupees in this movement and when the Reserve Bank is very generous in advancing short-term, medium-term and long-term credit to the ryots, it is very necessary that adequate measures are taken to ensure the security of those amounts. I agree with all that ; but in doing that, have you got the picture of a socialistic pattern of society or a co-operative commonwealth about which you talk so such from various platforms ? Is this a democratic approach to the movement and is this trying to give a fillip to the co-operative movement ? In the case of Village Panchayats you want to have nominated elements ; in the case of the District Development Councils you want to have the Deputy Commissioner as the Chairman. When it comes to co-operative societies, you want the Registrar to be the supreme commander. You want to give him unbridled authority. You seem to have no confidence in the democratic set up of the movement and you do not want to trust the people. You do not believe in the honesty of the people who have infinite faith in this movement and who wish to associate themselves with it in a spirit of service. It is my experience that the more illiterate a person, the more honest he is.

Sri C. J. MUCKANNAPPA.—Does it follow that all literate persons are dishonest ?

Sri J. B. MALLARADHYA.—I am prepared to make the statement that illiterate people are generally more honest than literate and so called civilized people. I make this statement on the basis of my personal experience. I know of certain societies which are first class societies and which work so regularly and honestly that they do not require even an auditor, or a supervisory agency. They are mostly illiterate people who are working these societies. They are so honest that they give moneys as loan even without taking a stamped receipt. They are more honest than the educated and seemingly honest people who are very high up in society where everything is rotten. The co-operative movement in our State is 54 years old and still you think that there should be needless Government control at every stage. The whole Bill is designed to tighten the official grip and Government control. In a democracy I have heard it said that "unitary control" cannot to be dispensed with. This is a deliberate misreading of the concept of unitary control. You cannot treat the Co-operative Department on a level with other Government Departments. Bossing, direction, control and ideas of regimentation are alien to the development of co-operation. This is true not merely of Mysore but for any part of globe. You want the Directors and the management to have the power to manage and administer the institutions, but you want control and direction to vest in the Registrar. You want the Registrar to exercise control and direction, but not take the responsibility for running the institution, and you want the Directors and the management to take the responsibility for everything. Is this a happy state of affairs? In democracy, responsibility and power always go together. If Government is interested in the economic regeneration and development of the countryside and the urban areas and if it believes in co-operation as the panacea for all evils and if it really wants the economic development of the country to be linked with the development of the co-operative movement, then I would say, 'Please do not adopt this Bill in its present form ; this requires very radical changes and it must be recast so as to be in tune with the spirit of the times.' I wish to remind the House again of what Pandit Nehru said in April 1958. It seems that he tried to get two or three co-operative societies registered at his own instance and it took more than a year to get them registered. It is in that connection that he said that the co-operative law as it stands today is outmoded. May I repeat that this Bill also is outmoded and retrograde and requires to be radically changed in the interest of development of the movement on orthodox democratic lines ?

Mr. DEPUTY SPEAKER.—The House now rises and will meet tomorrow at 8.30 A.M.

The House adjourned at Six of the Clock to meet again at Thirty Minutes past Eight of the Clock on Saturday, the 1st November 1958.

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